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Rajasthan Rules Compendium

(IN THREE VOLUMES)
(1968 to June 1970)

By
T. D. KHURANA
(Advocate)

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Rajasthan Rules Compendium

(1968 to June 1970)

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RAJASATHAN EXCISE RULES, 1956

Finance Department (Excise Section)

Notification No. F. 1 (37) FD/Ex./67/3810, dated December 18, 1967.—In exercise of the powers conferred by section 41 of the Rajasthan Excise Act, 1950 read with section 70 thereof, the State Government hereby makes the following amendment to the Rajasthan Excise Rules, 1956, and further orders with reference to the proviso to sub-section (3) of said section 41 that the previous publication of this amendment be dispensed with as the State Government considers that it should be brought into force at once, namely : —

AMENDMENT

In the said Rules, after Chapter IX-A the following Chapter shall be inserted as Chapter IX-B thereof, namely:—

“Chapter IX-B”

COMPOUNDING OF OFFENCES

77-B Conditions and restrictions subject to which power under section 70 shall be exercised—Powers under section 70 shall be exercised subject to the following conditions and restrictions;—

- (a) Any District Excise Officer specially empowered in that behalf may accept, in lieu of cancellation or suspension of licence, permit or pass or by way of composition of an offence, a sum of money not exceeding Rupees Five Hundred.
- (b) Notwithstanding anything in clause (a) powers under section 70 shall not be exercised by any District Excise Officer specially empowered in that behalf, if the offence committed or reasonably suspected of being committed is punishable under clause (c) or (d) of section 54 or under section 56 without obtaining the previous sanction of the Excise Commissioner.

[Published in Raj. Gaz. Ex. 4 (Ga) Dt. 18.12.67 Page 769].

Finance Department (Excise Section)

Notification No. F. (61) FD/Ex./65, dated February 1, 1968.—In exercise of the powers conferred by section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the State Government hereby makes the following amendments to the Rajasthan Excise Rules, 1956, and orders, with reference to sub-section (3) of the said section, that previous publication of these amendments is dispensed with, as the State Government considers that the amendments should be brought into force at once :—

AMENDMENTS

In sub-rule (2) of rule 75 of the said rules,—

- (a) in clause (a) after the words, “place of worship”, the words “or public entertainment or public resort”. shall be inserted; and
- (b) in clause (b), for the words “a textile mill”, the words “the factory or a labour colony” shall be substituted.

[Pub. in Raj. Gaz. Ex. 4(Ga)—1-2-68 Page 945]

RAJASTHAN EXCISE RULES, 1956

Notification No. F. 1 (71) FD/Ex./67. dated February 27, 1968.—In exercise of the powers conferred by section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950), the State Government hereby makes the following amendments to the Rajasthan Excise Rules, 1956 and with reference to the proviso to sub-section(3) of the said section, orders that previous publication of these amendments is dispensed with, as the State Government considers that the amendments should be brought into force at once, namely :—

AMENDMENTS

In the said Rules,—

(1) in Rule 61,—

(a) in sub-Rule (2), for the words “The Deputy Commissioner or any other officer authorised by him”, the words “The District Excise Officer or any other officer authorised by the Excise Commissioner” shall be substituted;

(b) in sub-rule (2), for the word “The”, expression “Subject to such terms and conditions as may be laid down by the Excise Commissioner, the” shall be substituted; and

(c) after sub-rule (2) the following sub-rule shall be added as sub-rule (2-a), namely :—

“(2-a) In case such annual fee is in consideration of grant of exclusive privilege under section 24, it shall be payable instead of or in addition to, excise duty as may be directed by the Excise Commissioner”;

(2) in clause (3) of rule 63, for the expression “Deputy Excise Commissioner” the expression “District Excise Officer” shall be substituted;

(3) in rule 65, for the expression “Deputy Excise Commissioner”, the expression “District Excise Officer” shall be substituted;

(4) after chapter VIIA, the following new chapter shall be inserted, namely :—

CHAPTER VII B

Licence on payment of lump sum instead of or in addition to duty

67. *I, Licence on payment for exclusive privilege.*—Licence for exclusive privilege of selling by retail of country liquor within any local area under section 24 may be granted on condition of payment of such lump sum instead of, or in addition to Excise duty as may be determined by the Excise Commissioner and subject such other terms and conditions as may be laid down by him.

67. *J. Procedure for allotment by negotiation.*—(I) A licence under rule 67 I may be granted by way of allotment by negotiation in accordance with the procedure laid down in sub-rules (2) to (4).

(2) Subject to such general or special directions as may be issued by the Excise Commissioner from time to time, the District Excise Officer may, before the commencement of the financial year, make an offer to the existing licence of the shop in the form laid down by the Excise Commissioner for the grant of licence for the ensuing year, indicating therein the amount of payment for exclusive privilege payable by him under rule 67 I, and the conditions of licence. Such an offer shall give not less than five days, within which he may communicate to the District Excise Officer his acceptance or otherwise of the offer in the form laid down by the Excise Commissioner. The acceptance shall be accompanied with proof of payment of such security and in such manner as may be indicated in the offer :

Provided that no offer under this sub-rule shall be made to an existing licensee who has not been of good behaviour during the period of previous licence or suffers from any of the disabilities mentioned in rule 74:

Provided further that if the licence fails to Communicate acceptance within the period of 5 days or if the acceptance is not accompanied by proof of payment of security as aforesaid, such offer shall be deemed to have been rejected by him.

(3) Subject to such general or special directions as may be issued by the Excise Commissioner from time to time, the District Excise Officer may, on rejection of an offer under sub-rule (2) or where no offer is made under sub-rule (2) on account of any general or special direction of the Excise Commissioner, make an offer to any general or special direction of the Excise Commissioner, make an offer to any other person whose licence for retail shop of country liquor in any area of the State was cancelled as a result of the area having been declared a prohibition area under sub-section (4) of section 19 read with section 13, for the grant of a licence on the same terms any conditions as those contained in the offer under sub-rule (1)

(4) On receipt of the acceptance of the offer from the licensee of any other person referred to in sub-rule (3), as the case may be, the District Excise Officer shall, subject to such general or special directions as may be issued by the Excise Commissioner, grant the licence.

(5) Subject to the written sanction of the Excise Commissioner licence under this rule may be granted in respect of group of shops jointly"; and

(5) in rule 69A, after the words "retail sale of country liquor", the words "under guarantee system" shall be inserted.

Finance (Excise) Department

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Notification G. S.R. 27. dated march 17, 1969.—In exercise of the powers conferred by section 41 of the Rajasthan Excise Act, 1950 read with section 70 thereof, the State Government hereby makes following amendment to the Rajasthan Excise Rules, 1956, and further orders with reference to the proviso to sub-section (3) of said section 41 that the previous publication of this amendment be dispensed with as the State Government considers that it should be brought into force at once namely :—

AMENDMENT

In the said rules the following shall be substituted for clause (b) of rule 77-D, namely :—

“(b) Notwithstanding anything in clause (a) powers under section 70 shall not be exercised by any District Excise Officer specially empowered in that behalf, if the offence committed or reasonably suspected of being committed is punishable under clause (c) or (d) of section 54 or under section 56, or if any proceedings have been instituted in any Court of Law for the commission of any offence under the Act, without obtaining the previous sanction of the Excise Commissioner.”

[Pub. in Raj. Gaz. Ex. 4 (Ga) (I)-Dt. 26-6-69 Page 102]

Finance (Excise) Department

Notification G.S.R. 26 dated July 22, 1969.—In exercise of the powers conferred by sub-section (1) of section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act, 2 of 1960), the State Government hereby makes the following amendment in the Rajasthan Excise Rules, 1956 and orders with reference to the proviso to sub-section (3) of the said section that previous publication of this amendment is dispensed with as the State Government considers that the amendment should be brought into force at once, namely.—

AMENDMENT

In sub-rule (2) of rule 69 of the Rajasthan Excise Rules, 1956, for the words “or nip” the words “nip or other miniature size” shall be substituted.

[Pub. in Raj Gaz. Ex. 4 (Ga) (1)-Dt. 22-7-69-Page 93,]

RAJASTHAN EXCISE (AMENDMENT) RULES, 1969.

Finance (Excise) Department

Notification G.S.R. 5, dated March 1, 1969.—In exercise of the powers conferred by section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950), the State Government hereby makes the following amendments to the Rajasthan Excise Rules, 1956, and with reference to the proviso to sub-section (3) of the said section, orders that previous publication of these amendments is dispensed with, as the State Government considers that the amendments should be brought into force at once, namely :—

1. (i) These rules may be called the Rajasthan Excise (Amendment) Rules, 1969.

(ii) They shall come into force at once.

2. In the Rajasthan Excise Rules, 1956, hereinafter referred to as the principal Rules, in rule 61, sub-rule (2-a) shall be deleted.

3. In the principal Rules, in rule 67 J,—

(a) in sub-rule (1), for the expression “sub-rules (2) to (4)”, the expression “sub-rule (2) and (4)” shall be substituted;

(b) sub-rule (3) shall be deleted, and

(c) in sub-rule (4), the expression “or any other person referred into sub-rule (3), as the case may be,” shall be deleted.

4. In the principal Rules, after rule 67 J, the following new rules shall be inserted as 67 K and 67 L, namely :—

“67. K. Procedure for auction—

(i) Subject to such general or special directions as may be issued by the Excise Commissioner from time to time, the District Excise Officer may put the licence under rule 67 I for any area to auction.

(ii) In such an auction the Presiding Officer shall call bids for the Lump sum payment for exclusive privilege payable instead of, or in addition to excise duty, as may be directed by the Excise Commissioner.

(iii) Clause (1) and (3) to (9) of rule 61 and rules 62 to 65 shall, so far as may be, be applicable *mutatis mutandis* to such auctions.

67. L. Adoption of any other method.—

In case licence for any particular area is not granted by adoption of method prescribed in rule 67 J or 67 K, the Excise Commissioner may at his discretion grant licence under rule 67 I for any area by negotiation with any third party :

Provided that in making negotiations with third parties, highest bidder, if any, shall also be given a chance to make a higher offer, unless he is debarred from holding licence under any provision of the Act or these Rules or has rejected the offer under sub-rule (2) or rule 67 J.

RAJ. EXCISE (AMENDMENT) RULES 1969.

Finance (Excise) Department

Notification G. S. R. 11, dated May 3, 1969.—In exercise of the powers conferred by section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the Government of Rajasthan hereby makes the following rules further to amend the Rajasthan Excise Rules, 1956, and orders with reference to the proviso to sub-section (3) of the said section that previous publication of these rules is dispensed with as the Government of Rajasthan considers that these rules should be brought into force at once, namely :—

1. *Short Title.*—These rules may be called the Rajasthan Excise (Amendment) Rules, 1969.

2. *Amendment of Rule 69.*—To sub-rule (1) of rule 69 of the Rajasthan Excise Rules, 1956, the following further proviso shall be added, namely :—

“Provided further that the fee for a licence for the sale of foreign liquor, manufactured in Nepal shall till the 31st October, 1970, be the same as provided in this rule for a licence for the sale, of Indian made foreign liquor.”

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 8-5-69 Page 73]

Rajasthan Excise (Amendment) Rules, 1969.

Notification G. S. R. 60, dated September 18, 1969.—In—exercise of the powers conferred by sub-section (2) of section 14 of the Rajasthan Excise Act 1950 (Rajasthan Act 2 of 1950), the State Government makes the following Rules further to amend the Rajasthan Excise Rules, 1956 and orders with reference the proviso to sub-section (3) of the said section that previous publication of the said Rules is dispensed with as the State Government considers that the said Rules should be brought into force atonce, namely:—

(1) These Rules may be called the Rajasthan Excise (Amendment) Rules, 1969.

(2) In the Rajasthan Excise Rules, 1956.--

(a) except as otherwise provided in clauses (b), (c) and (d), for the expression "Assistant Excise Commissioner", wherever occurring, the expression "District Excise Officer", shall be substituted;

(b) in rules 20, 21 (1), 25 (1), 28(1), 33, 34(1), 39(1) 41(1), 46B(iii) 46c(i) and 46D(i); and in the marginal heading to rule 33 and 34 for the expressions "Assistant Commissioner" or "Assistant Excise Commissioner", wherever occurring the expression "District Excise officer or Assistant Excise Officer", shall be substituted.

(c) in rule 46A (ii) for the expression "Assistant Excise Commissioner" occurring for the first time the expression "District Excise Officer or Assistant Excise Officer", shall be substituted;

(d) in rules 21 (2), (3) & (4), 22 (2), 23 (1) 25 (2) & (3), 26(2), 28(2), (3) and (4), 34(3), 36 37(1) and (2), 40, 46A(ii),(iii) and (v) and 46B(iv), for the expression "Assistant Commissioner" or "Assistant Excise Commissioner" the expression "District Excise Officer, as the case may be", shall be substituted,

(e) in rules 46D (iii), 46E(i), 47(2) 48,80 (c), for the expression "Deputy Excise Commissioner", the expression "Deputy Excise Commissioner", the expression "District Excise Officer", shall be substituted; and

(f) in rules 58, 79, 80(b), for the expression "Deputy Excise Commissioner", the expression "Excise Commissioner", shall be substituted,

RAJASTHAN EXCISE RULES, 1956

FINANCE (EXCISE) DEPARTMENT

Notification G.S.R. 103, dated March 9, 1970.—In exercise of the powers conferred by sub-section (1) of section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the State Government hereby makes the following amendments in the Rajasthan Excise Rules, 1956 and orders with reference to the proviso to sub-section (3) of the said section that previous publication of the said amendments is dispensed with as the State Government considers that the said amendments shall be brought into force at once :—

AMENDMENT

In the Rajasthan Excise Rules, 1956, for the existing sub-rule (1) of rule 69, the following shall be substituted, namely :—

“69 (1) The fees for a licence for the sale of foreign liquor shall be as follows :—

Kind of licence, per litre.	Foreign liquor		IMFL & Beer			
	Spirit Rs. P.	Wine Rs. P.	Beer Rs. P.	liquor Rs. P.	Beer Rs. P.	
Whole-sale	1.54	1.00	0.22	0.48	0.14	
Retail Off	11.78	1.72	0.42	1.15	0.22	
Retail On	12.92	2.48	0.86	1.70	0.42	

Subject to the following minimum licence fees :—

Whole-sale Trade licence.	Rs. 2,200.00	For a year or part thereof
Retail licence for consumption off the premises.	Rs. 1,500.00	-do-
Retail licence for consumption on the premises.	Rs. 1,000.00	-do-

Provided that the licence fee for a licence under rule 47 (i) (a) shall be a fixed fee of Rs. 300.00.

Provided further that a sum of Rs. 500.00 shall be charged from the Commanding Officers of the Armed Forces of the Union of India stationed in Rajasthan for holding a “retail off” licence.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (I)—Dt. 9-3-70—Page 345]

FINANCE (EXCISE) DEPARTMENT

Notification No. F. 1 (84) FD/EX/67, dated February 28, 1968.—In exercise of the powers conferred by sub-section

(2)(b) of section 41 of the Rajasthan Excise Act, 1950. (Rajasthan Act 2 of 1950), the State Government hereby makes the following amendment to the Rajasthan Excise Rules, 1956 and orders with reference to the proviso, to sub-section (3) of the said section that previous publication of this amendment is dispensed with as the State Government considers that the amendment should be brought into force at once, namely. :—

AMENDMENT

In rule 88 of the said Rules, after the expression "Excise Inspector" the expression "and Patrolling Officers in the Excise Preventive Force" shall be inserted.

[Pub. in Raj. Gaz. Ex. 4 (Ga)-Dt. 7-3-68-Page 1081]

Rajasthan Country Liquor (Fixation of Strength) Rules, 1963

Office of The Excise Commissioner, Rajasthan, Udaipur

Notification No. F. 1 (Ex)/L) 67, dated February 20, 1968:-

In exercise of the powers conferred by clause (e) of section 24 of the Rajasthan Excise Act 1950 (Rajasthan Act 2 of 1950), the Excise Commissioner, with the previous sanction of the State Government, hereby makes with immediate effect the following amendment, in the Rajasthan Country Liquor (Fixation of Strength) Rules, 1963, namely :—

AMENDMENT

In the Rajasthan Country Liquor (Fixation of Strength) Rules, 1963 for the existing rule-2 the following shall be substituted, namely :—

“2. Strength of Country liquor.—The strength in excess of or below which various authorised varieties of Country Liquor shall not be sold or supplied or possessed is fixed as follows, namely :—

S. No. 1	Variety of Liquor 2	Strength 3
1.	Kesar Kasturi	5 U.P.
2.	(i) Rose	25 U.P.
	(ii) Rose	35 U.P.
3.	Sonf	30 U.P.
4.	Ginger	25 U.P.
5.	(i) Orange	25 U.P.
	(ii) Orange (Gur base)	35 U.P.
6.	Malata	25 U.P.
7.	(i) Plain (Green colour)	40 U.P.
	(ii) Plain (Green colour)	45 U.P.
8.	Pine apple	45 U.P.
9.	Plain (Dark Caramel colour)	45 U.P.
10.	Plain (Light Caramel colour)	60 U.P.

[Pub. Raj. in Gaz. Ex. 4 (Ga—Dt. 20-2-68—Page 980)]

Notification No. F. 1 (Ex/L) 67, dated August 6, 1968.—In exercise of the powers conferred by clause (e) of section 42 of the Rajasthan Excise Act 2 of 1950 (Rajasthan Act 2 of 1950) the Excise Commissioner, with the previous sanction of the State Government, hereby makes with immediate effect the following amendment in the Rajasthan country Liquor (Fixation of Strength) Rules, 1963, namely :—

AMENDMENT

In the Rajasthan Country Liquor (Fixation of strength) Rules, 1963 for the existing rule 2 the following shall be substituted, namely :—

“2. Strength of Country Liquor.—The strength in excess of or below which various authorised varieties of Country Liquor shall not be sold or supplied or possessed is fixed as follows, namely :—

2] Rajasthan Country Liquor (Fixation of Strength) Rules, 1969.

Sl. No.	Variety of Liquor	Strength
1	2	3
1.	Kesar-Kasturi	5 U.P.
2.	Rose	35 U.P.
3.	Orange (Green colour) ...	35 U.P.
4.	Plain (Gurbase)	35 U.P.
5.	Pine-apple	45 U.P.
6.	Plain (Light caramel colour)	60 U.P.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 6-8-68. Page 398]

Rajasthan Country Liquor (Fixation of Strength) Rules, 1963

OFFICE OF THE EXCISE COMMISSIONER, RAJASTHAN, UDAIPUR

Notification No. F. 42 (2A) Ex/L/68, dated November 15, 1968.—In Exercise of the powers conferred by clause (e) of section 42 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the Excise Commissioner, with the previous sanction of the State Government, hereby makes, with immediate effect, the following amendment in the Rajasthan Country Liquor (Fixation of Strength) Rules 1963, namely :—

AMENDMENT

In the Rajasthan Country Liquor (fixation of Strength) Rules, 1963 for the existing rule 2, the following shall be substituted, namely.—

“2. Strength of Country Liquor.—The strength in excess of or below which various authorised varieties of country liquor shall not be sold or supplied or possessed is fixed as follows, namely.—

S. No. 1	Variety of Liquor 2	Strength 4
1	Kewar Kasturi	5 U.P.
2.	Rose (Gur Base)	35 U.P.
3.	Rose	35 U.P.
4.	Orange (Gur Base)	35 U.P.
5.	Orange	35 U.P.
6.	Plain (Green Colour)	45 U.P.
7.	Pine Apple	45 U.P.
8.	Plain (Light Caramel Colour)	60 U.P.

Rajasthan Issue & Sale Prices of Country Liquor Rules, 1964

OFFICE OF THE EXCISE COMMISSIONER, RAJASTHAN, UDAIPUR

Notification No. F. 1 (Ex. L) 67, dated February 20, 1968.—In exercise of the powers conferred by clause (e) of section 42 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1960), the Excise Commissioner with the previous sanction of the State Government, hereby makes, with immediate effect, following amendment in the Rajasthan Issue and Sale Prices of Country Liquor Rules, 1964, namely ;—

AMENDMENT

In the Rajasthan Issue and Sale Prices of Country Liquor Rules, 1964, for rule 2, the following shall be substituted, namely:—

“2. *Issue Prices.*—The issue prices of different varieties of country liquor, that is, the price at which the country liquor will be issued from Government War-ehouses to the retail licensees shall be as under:—

S. No.	Variety of liquor	Strength	Issue price per bulk litre
1	2	3	4
			Rs. P.
1.	Kesar Kasturi	5 U.P.	23.28
2.	(i) Rose	25 U.P.	13.60
	(ii) Rose	35 U.P.	11.80
3.	Sonf	30 U.P.	12.64
4.	Gingar	25 U.P.	10.88
5.	(i) Orange	25 U.P.	10.88
	(ii) Orange (Gur base)	35 U.P.	11.80
6.	Malta	25 U.P.	10.88
7.	(i) Plain (Green colour)	40 U.P.	7.52
	(ii) Plain (Green colour)	45 U.P.	6.92
8.	Pine-apple	45 U.P.	6.92
9.	Plain (Dark Caramel colour)	45 U.P.	4.92
10.	Plain (Light Caramel colour)	60 U.P.	3.56

Note:—The rates of issue prices are exclusive of the prices of containers, but inclusive of excise duties levied under Government Notification No. F. 1 (20) FD/EX/67, dated the 20-2-68.

[Pub. in Raj. Gaz. Ex. 4(Ga)-Dt. 20-2-68 Page 982]

RAJASTHAN ISSUE & SALE PRICES OF COUNTRY LIQUOR RULES, 1964

OFFICE OF THE EXCISE COMMISSIONER,
RAJASTHAN, UDAIPUR.

Notification, No. F. 1 (Ex. L) 67, dated August 6, 1968.—

In exercise of the powers conferred by clause (e) of section 42 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950) the Excise Commissioner, with the previous sanction of the State Government, hereby makes, with immediate effect, the following amendment in the Rajasthan Issue and Sale Prices of Country Liquor Rules, 1964, namely:

AMENDMENT

In the Rajasthan Issue and Sale Prices of Country Liquor Rules, 1964, for rule 2, the following shall be substituted, namely:—

"2. Issue Price.—The issue prices of different varieties of country liquor, that is, the price at which the country liquor will be issued from Government Warehouses to the retail licensees shall be as under:—

S. No.	Variety of liquor	Strength	Issue price per bulk litre.
1	2	3	4
			Rs.
1.	Kesar Kasturi	57 U.P.	23.28
2.	Rose	35 U.P.	11.80
3.	Orange (Gur base)	35 U.P.	11.80
4.	Plain (Green colour)	45 U.P.	7.08
5.	Pine-apple	45 U.P.	7.08
6.	Plain Light (Caramel colour)	60 U.P.	3.68

Note:—The rates of issue prices are exclusive of the prices of containers, but inclusive of excise duties levied under Government Notification No. F. 1(20)FD/EX/67, dated the 20-2-68"

[Pub. in Raj. Gaz. Ex. 4(Ga)-Dt. 6-8-68.—Page 395]

OFFICE OF THE EXCISE COMMISSIONER, RAJASTHAN.

Notification No. F.42 (2A) Ex/L/68, dated November 15, 1968.—In exercise of the powers conferred by clause (e) of section 42 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the Excise Commissioner, with the previous sanction of

the State Government, hereby makes, with immediate effect, the following amendment in the Rajasthan Issue and Sale Prices of Country Liquor Rules, 1964, namely :—

AMENDMENT

In the Rajasthan Issue and Sale Prices of Country Liquor Rules, 1964, for rule 2, the following shall be substituted, namely :—

“2. Issue Price.—The issue prices of different varieties of country liquor, that is, the price at which the country liquor will be issued from Government War-
rehouses to the retail licensees shall be as under:—

S. No.	Variety of Liquor	Strength	Issue price per bulk litre.
1	2	3	4
			Rs. P.
1.	Kesar Kasturi	5 U.P.	23.28
2.	Rose (Gur Base)	35 U.P.	11.80
3.	Rose	35 U.P.	10.52
4.	Orange (Gur Base)	35 U.P.	11.80
5.	Orange	35 U.P.	10.52
6.	Plain (Green Colour)	45 U.P.	7.08
7.	Pine Apple	45 U.P.	7.08
8.	Plain (Light Caramel Colour)....	60 U.P.	3.68

Note :—The rates of issue prices are exclusive of the prices of containers, but inclusive of excise duties levied under Government Notification No. F.4 (25) FD/Ex/68, dated the 15-11-1968.

[Pub. in Raj. Gaz. Ex. 4(Ga)—Dt. 15-11-68—Page 610]

Rajasthan Sacramental Wine Rules, 1970.

Office of the Excise Commissioner Rajasthan, Udaipur.

Notification G.S.R. 18 Dated January, 7, 1970.—In exercise of the powers conferred by section 42 (a) of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the Excise Commissioner, with the previous sanction of the state Government, hereby makes, with immediate effect, the following rules, namely:

1. *Short title.*—These rules may be called the Rajasthan Sacramental Wine Rules, 1970:—

2. *Definitions.*—Unless there is anything repugnant in the subject or context :—

(a) "Act" means the Rajasthan Excise Act, 1950 (Rajasthan Act No. II of 1950).

(b) "Bishop" means a priest of the Roman Catholic or Anglican Church consecrated as Governor of a diocese;

(c) "Manufactory" means the room or building specified in the licence for the manufacture of sacramental wine, and;

(d) "Sacramental wine" means wine required for offering the Holy Sacrifice of Mass in a Roman Catholic Church or Holy Communion in an Anglican Church in Rajasthan and prepared from raisins.

3. *Restriction of grant of licence.*—No licence for the manufacture of sacramental wine shall be granted unless the applicant is a Bishop or a Priest of a Roman Catholic or Anglican Church.

4. *Application for licence.*—(1) An application for a licence, for the manufacture of sacramental wine, shall be made in writing to the Excise Commissioner through the District Excise officer concerned.

(2) The application shall be accompanied by—

(a) short description of the place where it is proposed to manufacture sacramental wine.

(b) maximum quantity of sacramental wine which is proposed to be manufactured and the names of the diocese and churches for which the wine shall be utilised, and

(c) an undertaking to the effect that the applicant shall abide by the provision of the Act and the rules and order made thereunder and the conditions of the licence.

5. *Grant of licence and terms thereof.*—The Excise Commissioner may grant a licence in from S. W. 1 for a period not exceeding one year ending March 31 of the following year, on the application of the Bishop of the diocese or a priest of a Roman Catholic or Anglican Church made through the Bishop concerned.

6. *Renewal of licence.*—Application for renewal of licence shall be sub-mitted through the District Excise Officer, concerned to the Excise Commissioner, Rajasthan at least one month before its expiry.

7. *Other conditions of licence* --The licensee shall—

(a) use raisins only as base for manufacture of sacramental wine without adding any sugar, fermenting agent or other substance either before, at the time of, or after fermentation;

(b) on demand by Excise Officer permit samples to be taken for analysis free of cost; and

(c) not manufacture sacramental wine of a strength exceeding 20% of proof spirit.

8. *Transport of sacramental wine.*—Sacramental wine manufactured under the licence so granted shall not be removed except under written permission of the District Excise Officer concerned.

9. *Excise Duty.*—No Excise duty shall be charged on sacramental wine which is manufactured under these rules.

FORM S. W. 1

CREST

LICENCE No.

LICENCE FOR THE MANUFACTURE OF SACRAMENTAL WINE

Licence is hereby granted under and subject to the provisions of the Rajasthan Excise Act, 1950 (Act 2 of 1950), and the rules, regulations and orders made thereunder, to.....at (herein-after referred to as 'the licensee'), authorising him to manufacture and sell sacrawine at his manufactory situated at.....District..... (herein-after referred to as the 'manufactory') during the period from.....to subject to the following conditions. namely:—

CONDITIONS

*1. The licensee shall not manufacture sacramental wine except at the said manufactory and under the supervision of the Officer in-Charge.

2. The licensee shall, if the Excise Commissioners so directs, pay the cost of supervision of the Officer-in Charge. The licensee shall not manufacture sacramental wine at the said manufactory exceeding.....litres.

3. The licensee shall not carry out any alterations in the said manufactory except with the previous sanction of the Excise Commissioner,

4. The licensee shall hang up the licence in a conspicuous place in the said manufactory.

5. The said manufactory shall, when not in use, be kept closed under separate locks and keys, of the Officer-in charge and the licensee.

6. The licensee may authorise in writing a priest to work on his behalf, but both the licensee and the priest shall be responsible for the operations connected with the manufacture, storage and sale of sacramental wine carried out at the said manufactory.

7. This licence may be suspended or cancelled in accordance with the provisions of section 34 or 35 of the Rajasthan Excise Act, 1950.

8. In case the licence is suspended or cancelled during the currency of licence period or is not renewed on its expiry, the whole stock of sacramental wine in balance with the licensee on the date of such suspension, cancellation or non renewal, as the case may be, shall forthwith be surrendered by him to the District Excise Officer concerned.

9. The licence shall comply with all orders and instructions issued to him by the Excise Commissioner, or the District Excise Officer concerned.

10. The licensee shall abide by the provisions of the Rajasthan Excise Act, 1950 and the rules, regulations and orders made thereunder and the conditions of this license.

Granted this.....day of.....19....

Seal of the licensing authority LICENSING AUTHORITY.
Signature of the Licensee

RAJASTHAN EXCISE ACT, 1950

Finance (Excise) Department

Notification S. O. 63, dated September 18, 1969 — In exercise of the powers conferred by clause (iii) of sub-section (1A) of section 9 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the State Government orders that the following Assistant Excise Officers shall exercise the powers and perform the duties assigned to them under the said Act and the rules made thereunder within the local limits and shall have their headquarters at the places specified against each :—

S No.	Designation of Officer.	Local limits Jurisdiction.	Headquarters.
1	2	3	4
1.	Asstt. Excise Officer, Bharatpur.	Revenue District Bharatpur.	Bharatpur.
2.	Asstt. Excise Officer, Barmer.	Revenue District, Barmer.	Barmer.
3.	Asstt. Excise Officer, Jhalawar.	Revenue District, Jhalawar.	Jhalawar.
4.	Asstt. Excise Officer, Sikar.	Revenue District, Sikar.	Sikar.
5.	Asstt. Excise Officer, Alwar.	Revenue District, Alwar.	Alwar.
6.	Asstt. Excise Officer, Jhunjhunu.	Revenue District, Jhunjhunu.	Jhunjhunu.
7.	Asstt. Excise Officer, Tonk.	Revenue District, Tonk.	Tonk.
8.	Asstt. Excise Officer, Sawai- madhopur.	Revenue District, Sawai madhopur.	Sawaimad- hopur.
9.	Asstt. Excise Officer, Sirohi.	Revenue District, Sirohi excluding Abu Area.	Sirohi.
10.	Asst. Excise Officer, Bhilwara.	Revenue District, Bhilwara.	Bhilwara.
11.	Asstt. Excise Officer, Nagaur.	Revenue District, Nagaur.	Nagaur.
12.	Asstt. Excise Officer, Jaipur.	Revenue District, Jaipur	Jaipur.
13.	Asstt. Excise Officer, Pali	Revenue District, Pali.	Pali.
14.	Asstt. Excise Officer, Bikaner.	Revenue District, Bikaner.	Bikaner.
15.	Asstt. Excise Officer, Ajmer.	Revenue District, Ajmer.	Ajmer.

16.	Asstt. Excise Officer Ganganagar.	Revenue District, Ganganagar.	Ganganagar.
17.	Asstt. Excise Officer, Jodhpur.	Revenue District, Jodhpur.	Jodhpur.
18.	Asstt. Excise Officer, Jalore.	Revenue District, Jalore.	Jalore.
19.	Asstt. Excise Officer, Chittorgarh.	Revenue District, Chittorgarh.	Chittorgarh.
20.	Asstt. Excise Officer, Kota.	Revenue District, Kota.	Kota.
21.	Asstt. Excise Officer, Udaipur.	Revenue District, Udaipur.	Udaipur.
22.	Asstt. Excise Officer, Banswara.	Revenue District, Banswara.	Banswara.

[Pub. in Raj. Gaz. 4 (Ga)-Dt. 16-10-69-Page 107]

Finance (Excise Section) Department

Notification S. O. 186, dated December 1, 1969—In exercise of the powers conferred by sub-section (IA) of section 9 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950) and in supersession of this Department Notification No. F. 3 (93) FD/EX/66 dated 26th July, 1967, the State Government hereby appoints with effect from 1st December, 1969 the Officers specified in column No. 2 of the table appended hereto as District Excise Officers incharge of districts and with headquarters at the places specified against each respectively in columns Nos. 3 and 4 thereof.

TABLE

S. No.	Designation of Officers	Revenue Districts of which the Officer shall be incharge of	Headquarters
1	2	3	4
1.	District Excise Officer, Ajmer.	Ajmer, Sawai Madhopur and Tonk.	Ajmer.
2.	District Excise Officer, Alwar.	Alwar and Bharatpur.	Alwar.
3.	District Excise Officer, Bikaner.	Bikaner, Churu and Nagaur.	Bikaner.
4.	District Excise Officer, Ganganagar.	Ganganagar.	Ganganagar.
5.	District Excise Officer, Jaipur.	Jaipur, Sikar and Jhunjhunu.	Jaipur.
6.	District Excise Officer, Jodhpur.	Jodhpur, Jaisalmer, Pali, Barmer and Jalore.	Jodhpur.
7.	District Excise Officer, Kota.	Kota, Bundi and Jhalawar.	Kota.
8.	District Excise Officer, Udaipur.	Chittorgarh, Bhilwara and Udaipur (except tehsils Jhadol, Kotra and Kherwara of Udaipur District).	Udaipur.

Dungarpur, Banswara, Dungarpur.
Sirohi and Tehsils Jhadol,
Kotra and Kherwara of
Udaipur District.

Finance (Excise Section) Department

AMENDMENT

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II) Dt. 22-12-69- Page 350]

[Pub. in Raj. Gaz. 4 (Ga)-Dt 16-10-69 Page 109]

Notification No. F. 1 (197) FD/RT/64, dated May, 16, 1967.—In exercise of the powers conferred by clause (c) of section 17 of Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950) the State Government hereby prescribes the following conditions in respect of the construction and working of distilleries, namely:

2. *Production of Plan.*—Detailed plans showing the exact position and dimensions of each vessel to be used, course of all pipes or channels together with elevations of all the important parts of distillery shall be submitted by the Distiller to the Excise Commissioner.

3. *Permission for alterations or additions etc.*—No alterations or additions shall be made in the building without the prior permission in writing of the Excise Commissioner. The premises shall be open to inspection by the authorised officials of the Excise Department at all reasonable times.

4. *Facilities to be provided for Excise staff.*—The Distiller shall provide reasonable facilities and suitable accommodation

at his cost for the Excise staff attached to the distillery for proper supervision.

5. *Approved varieties to be manufactured and bottled.*—The Distiller shall manufacture and bottle only such varieties of Indian made Foreign Liquor (excluding Beer) which may be prescribed by the Excise Commissioner. The strength of each variety shall not be higher than the limit fixed therefor, from time to time.

6. *Safety.*—The Distiller shall provide for safety of the building (including the floating assets contained therein) against fire, theft or loss in such form as may be laid down by the State Government.

7. *Distillers Responsibility for loss etc. of spirits.*—The Distiller shall make adequate arrangements and be responsible for the safe custody of the stocks of spirit etc. as directed by the Excise Commissioner in his distillery and shall be liable to make good any loss of revenue caused to Government by his mistake, fraud or negligence or that of his employees and agents.

8. *Fermentation and Distillation Efficiencies.*—The Distiller shall be responsible for maintaining such minimum fermentation and distillation efficiencies as may be fixed by the Excise Commissioner.

9. *Obnoxious materials not to be used.*—The materials to be used in fermentation and distillation shall be of good quality and no ingredients obnoxious to health shall be used in the fermentation or distillation or be added to and mixed with the finished product.

10. *Analysis of Spirit.*—The spirit etc. manufactured in the distillery shall be liable to analysis on the orders of the Excise Commissioner and if found unsuitable for potable use or of inferior quality, shall be liable, to be rejected and destroyed or otherwise disposed of, in accordance with the orders of the Excise Commissioner.

11. *Manufacture of Indian Made Foreign Spirit.*—The distillers holding a licence shall not be allowed to manufacture in their licensed distilleries, Indian made foreign spirit for potable purposes from rectified spirit, which does not conform to the following specification.—

(1) The Aldehyde content of the original sample must not exceed 6 parts per 1,00,000 reckoned as Acetaldehyde.

(2) The acid content of the original sample must not exceed 6 parts per 1,00,000 reckoned as Acetic Acid.

(3) The details of the permanganate Test as given in the United States pharmacopeia, which the rectified spirit showed satisfy, are as follows :—

“Place 20 C.C. of Alcohol in a glass stoppered cylinder that has been thoroughly cleaned with hydrochloric

acid, then rinse with distilled water and finally with the alcohol to be tested. Cool the contents to approximately 15°C, and add, by means of a carefully cleaned pipette, 0.1 c. c. of tenth normal potassium permanganate (3.16 g.m. per litre) noting the exact time of addition. Mix at once by inverting the stoppered cylinder, and allow it to stand at 15°C for five minutes. The pink colour must not entirely disappear."

(4) Sample must be a clear water white liquid.

(5) Miscible with water in all proportions without precipitate or "opale scence."

(5) Characteristic spirit odour.

(7) Free from solid matter in suspension or solution; when 10 ml are evaporated should leave only an unweighable stain.

12. *Certification of water to be used.*—No water which has not been certified by the competent authorities of the Public Health Department in writing to have been obtained from an uncontaminated source shall be used in the process of fermentation, distillation or for reducing the strength or washing the bottles unless it has been raised to a temperature of not less than 212°F and has been kept at that temperature for at least 10 minutes and has been effectively filtered and chemically treated to make it safe for potable used by human beings.

13. *Arrangement for bottling.*—The Excise Commissioner may specify wherever possible that mechanical arrangements may be made for all operations upto the stage of bottling, and may also lay down that bottling operations must be carried on under proper supervision, in conformity with high standards of hygiene and the products should not be touched by human hand at any stage. The equipment shall be so designed that rodents, birds, lizards, beetles or other foreign matter do not get mixed up with the stuff at any stage of its manufacture or bottling.

14. *Distiller bound to obey all rules already in force or which may hereafter be made.*—The Distiller shall be bound by all rules for the control and management of distilleries and for the issue of liquor therefrom, which may already be in force or which may hereafter be enacted, and also by all special orders issued by the Excise Commissioner and shall cause all persons employed by him manufacture, issue etc. of the excisable article to obey all such rules. The Distiller shall also maintain such accounts and Registers as may be required from time to time.

15. *Produce of Distillation.*—The produce of a single distillation shall not exceed the quantity that can be had in a single receiver, nor shall such produce consist of the distillate of the contents of a larger number of complete wash-backs than has

been run into the still for a period longer than 72 hours. Blending and reduction of palm spirit shall be done under proper official supervision.

16. *Prohibition to produce Indian made Foreign liquor and rectified spirit.*—(a) Distiller licensed to manufacture Indian made Foreign liquor shall not manufacture potable or non-potable products of any other kind on the same premises.

(b) The rectified spirit required by the Distiller shall be manufactured by him in his own distillery. Wherever possible preference may be given to those applicants who are producers of molasses.

(c) Only patent stills may be licensed for manufacture of Indian made Foreign Liquor.

17. *Sale, transfer or subletting etc. prohibited.*—Except with the written permission of the Excise Commissioner, the Distiller shall not sell, transfer or sublet the right of manufacture conferred upon him by his licence, nor shall be in connection with the exercise of the said right enter into any agreement or arrangement which is in the nature of a sub-lease. He shall not also admit any person as his partner in the concern without prior sanction in writing of the Excise Commissioner.

18. *Distiller to deposit security.*—Every Distiller shall deposit by way of security an amount not exceeding Rs. 10,000/- as the Excise Commissioner may direct for the payment of all sums which may become due to the Government by way of duty rents, penalties or any other account.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 16.11.67 Page 824]

Finance (Excise) Department

Notification No. F. 2 (1) FD/Ex/68, dated March 20, 1968.—

In exercise of the powers conferred by sub-section (4) of Section 19 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950) read with section 13 thereof and in partial modification of this department Notification No. F. 1 (62) FD/Ex/67//3012, dated the 29th September, 1967, published in the Rajasthan Gazette, Extraordinary, dated 29th September, 1967, part IV-C, page 26, the State Government hereby prohibits, with effect on and from the 1st day of April, 1968, possession by all persons in, import into, or transport within, the areas comprising of revenue districts of Dungarpur, Banswara and Sirohi (Except Abu area) and of revenue Jhadol, Kherwara and Kotda of Udaipur district, liquors, subject, to the conditions specified in the Rajasthan Liquor Prohibition Rules, 1967.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 20-3-68—Page 1106]

Finance (Excise) Department

Notification S. O. 278, dated February 28, 1970.—In exercise of the powers conferred by sub-section (4) of Sec. 19 of the Rajasthan

Excise Act, 1950 (Rajasthan Act 2 of 1950) read with section 13 thereof and in partial modification of this department Notification No. F. 1 (62) FD/Ex/67/3012, dated the 29th September, 1967, published in the Rajasthan Gazette Extra-ordinary 29th September, dated 1967, Part IV—C, the State Government hereby further prohibits with effect on and from the 1st day of April, 1970 possession by all districts of Barmer, Jaisalmer and Jalore and of tehsils Gogunda, Dhariawad and Sarada of Udaipur district. liquors, subject to the conditions specified in the Rajasthan Liquor Prohibition Rules, 1967.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—28-2-70-Page 516]

Finance (Excise) Department

Notification No. F. 1 (20) FD/Ex/67, dated February 20 1967.—In exercise of the powers conferred by section 28 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950) and in supersession of Notification No. F. 1 (20) FD/Ex/67, dated the 29th May, 1967. the State Government hereby imposes with immediate effect, excise duty on the different varieties of country liquor manufactured in Rajasthan under any licence granted under the aforesaid Act or the Rules made thereunder, or in any distillery, pot-still licensed under the aforesaid Act or the Rules made thereunder at the rates specified below :—

S. No.	Variety of Country liquor	Strength	Rate of Excise duty per L. P. litre
1	2	3	4
			Rs. P.
1.	Kesar Kasturi	5 UP	16.23
2.	(a) Rose	25 UP	14.18
	(b) Rose	35 UP	14.18
3.	Sonf	30 UP	14.11
4.	Ginger	25 UP	12.81
5.	[a] Orange	25 UP	12.81
	[b] Orange [Green colour]	35 UP	14.18
6.	Malta	25 UP	12.81
7.	(a) Plain (Green colour)	40 UP	10.78
	(b) Plain (Green colour)	45 UP	10.78
8.	Pine -apple	45 UP	10.75
9.	Plain (Dark Caramel colour)	45 UP	7.16
10.	Plain (Light Caramel colour)	60 UP	7.10

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 20-2-68-Page 978]

Finance (Excise) Department

Notification No. F. 1 (88) F.D/Ex./67/2705, dated July 25 1968.—In exercise of the powers conferred by section 28 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950) read with section 31 thereof, the State Government hereby makes the follow-

wing amendment in this Department Notification No. F. 1 (26) FD/Ex/65, dated 1-11-65, namely :—

AMENDMENT

In the said notification, under the heading "I Excise duty" after item I (B) (ii), the following shall be inserted as item (ii-a) namely :—

- "(ii-a) Indian made Rum for Border Security Force Personnel stationed in Rajasthan, obtained and supplied under the following conditions, namely :—
- (1) The quantity of Rum imported or consumed by the said personnel stationed in Rajasthan shall not exceed 5405 bottles per month;
 - (2) The supply is in bottles bearing labels with the words "For Border Security Force in Rajasthan only" conspicuously printed on them with red letters;
 - (3) Separate account is maintained for such supplies; and
 - (4) The supply is solely for personal use of Boarder Security Force Personnel stationed in Rajasthan and is certified as such by the competent authority."

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 5-9-68 Page 217]

Finance (Excise) Department

Notification No. F. 4 (25) FD/Ex/68, dated November 15, 1968.—In exercise of the powers conferred by section 28 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950) and in supersession of Notification No F. 1 (20) FD/Ex/67, dated 20-2-68, the State Government hereby imposes with immediate effect, excise duty on the different varieties of country liquor manufactured in Rajasthan under any licence granted under the aforesaid Act or the Rules made thereunder, or in any distillery, pot-still licensed under the aforesaid Act or the Rules made there under at the rates specified below:—

S. No.	Variety of Country liquor	Strength	Rate of excise duty per L.P. litre
1	2	3	4
1.	Kesar Kasturi	5 U.P.	16.23
2.	Rose (Gur Base)	35 U.P.	14.18
3.	Rose	35 U.P.	14.18
4.	Orange (Gur Base)	35 U.P.	14.18
5.	Orange	35 U.P.	14.18
6.	Plain (Green colour)	45 U.P.	10.78
7.	Pine-apple	45 U.P.	10.75
8.	Plain (Light caramel Colour)	60 U.P.	7.10

Notification S. O. 299, dated March 9, 1970.—In exercise of the powers conferred by section 28 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), and in supersession of Notification No. F. 1 (26) FD/EX (65, dated 1-11-1965, the State Government hereby imposes Excise Duty on the following excisable articles manufactured in Rajasthan under any licence granted under the aforesaid Act or rules made thereunder or in any distillery, potsill or brewery established or licensed under the aforesaid Act or Rules made thereunder, and countervailing duty on such excisable articles imported into the State, at the rate specified below;—

1. Excise Duty :—

(A) When exported out of the State :—

- (i) Indian made foreign liquor except denatured spirit and denatured spiritous preparations Rs. 1-10 per LP liter
- (ii) Denatured Spirit Rs. 0.03 per litre
- (iii) Denatured spiritous preparations prepared from spirit, distilled in the same distillery Re. 0.25 per litre
- (iv) Denatured spiritous preparation not covered by (iii). Re. 0.65 per litre

(B) When consumed in the State:—

- (i) Indian made foreign spirit including liquor and fermented liquors except denatured spirit and denatured spiritous Preparations—
- (a) if the strength is between 15% and 41% of proof spirit. Rs. 10.00 per LP litre
- (b) if the strength is 42% or more of proof spirit Rs. 18.50 per Lp litre
- (ii) Indian made Rum for Defence Service personnel stationed in Rajasthan, obtained and supplied under the following conditions, namely:—

The supply is according to the scale sanctioned by the Government of India and through the Canteen Stores Department (India) and not, through any other source; the supply is in bottles with letters "CSD" embossed on them and bearing labels with words "for Military personnel only" conspicuously printed on them with red letters; and separate account is maintained for such supplies....

- Rs. 6.00 per LP litre
- (iii) Indian made Rum for Border Security Force Personnel stationed in Rajasthan obtained and supplied under the following conditions, namely:— Rs. 6.00 per LP litre

(1) The quantity of Rum imported or consumed by the said personnel stationed in Rajasthan shall not exceed 5405 bottle per month;

(2) The supply is in bottles bearing labels with the words "For Border Security Force in Rajasthan only" conspicuously printed on them with red letters;

(3) Separate account is maintained for such supplies; and

(4) The supply is solely for personal use of Border Security Force Personnel stationed in Rajasthan and is certified as such by the competent authority.

(iv) Beer and Indian made fermented liquor containing not more than 15% of proof spirit except denatured spirit and denatured spirituous preparations. Re. 0.80 per litre

(v) Denatured spirit and denatured spirituous preparations. Rs. 1.40 per litre

2. Countrevailing Duty:—

To be perpaid before import or if import is under bond to be paid when the bond is broken.	On the various excisable articles at the rates shown for Excise duty as mentioned against each under Part I.
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[Pub. in Raj. Gaz. 4(Ga)-(II)-Dt. 9-3-70-Page 552]

Finance (Excise) Department

Notification S. O. 315, dated March 30, 1970.—In exercise of the powers conferred by section 28 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the State Government hereby makes the following amendment in Finance (Excise) Department Notification No. F. 4 (25) FD/Ex/68, dated the 15th November, 1968 published in Rajasthan Gazette, Extraordinary Part IV-C dated the 15th November, 1968 namely ;—

AMENDMENT

In the said notification, in the table specifying the rates of excise duty on different varieties of country liquor, in column 2 against S.No. 6, for the expression "Plain (Green Colour)", the expression "Plain (Green or Lemon Yellow colour)" shall be substituted.

This shall come into force with effect from the 1st April, 1970.

[Pub. in Raj. Gaz. 4 Ex. (Ga)(II) Dt. 30.3.70]

Finance Department

Notification No. F. 1 (37) FD/Ex/67/228, dated January 18, 1968.—In exercise of the powers conferred by sub-section 70 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the State Government hereby especially empowers all the District Excise Officers, within their respective jurisdiction, to exercise, subject to conditions and restrictions specified in rule 77B of the Rajasthan Excise Rules, 1956, all the powers under that section to compound offences.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (Dt. 18-1-68) Page 870]

Finance (Excise) Department

Notification G.S.R. 25, dated March 15, 1969.—In exercise of the powers conferred by sub-section (2) of section 71 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950), the State Government hereby makes the following amendment in Excise and Taxation Department Notification No. F.1 (2) S R/52, dated the 18th September, 1958 as amended by Notification No. D. 2158/59/F. 1 (2) SR/52 dated the 4th July, 1959, namely:—

AMENDMENT

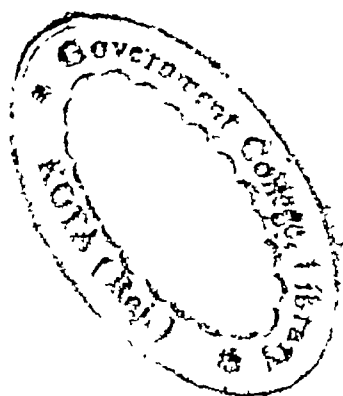
In para 2 of the said notification for the expression “Deputy Commissioners, Excise & Taxation “District Excise Officer concerned” shall be substituted.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 18.6.69—Page 99]

Excise Department

Notification G.S.R. 13, dated December 15, 1969.—In exercise of the powers conferred by Finance (Excise) Department Notification No. 1 (85) FD/EX/67-(2), dated 18th September, 1969, I, hereby delegate to the Assistant Excise Officers my powers under section 46 (a), section 67 (1) (b) (in so far as complaint or report is not for offences under section 60 and 61) and section 69 (3) of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), to be exercised within their respective jurisdiction.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 13-4-70—Page 33]



Rules and Notifications under

FACTORIES ACT, 1948.
(CENTRAL ACT No. 53 OF 1948)

Rajasthan Factories Rules, 1951

Labour & Employment Department

Notification No. F. 2 (58) L&E/64, dated March 25, 1968.—

In exercise of the powers conferred under section 112 of the Factories Act, 1948 (Central Act No. LXIII of 1948), the State Government hereby makes the following amendments in the Rajasthan Factories Rules, 1951 the same having been previously published in the Rajasthan gazette Extraordinary, Part IV (c), dated the 7th November, 1966 as required by section 115 of the said Act, namely:—

AMENDMENTS

In the said rules :—

1. for para 1 of sub-rule (1) of rule 3, the following shall be substituted, namely :—

“Approval of plans.—(1) An application for obtaining previous permission for the site on which the factory is to be situated and for the construction or extension of a Factory shall be made to the Chief Inspector of Factories”.

2. after rule 3, the following new rule shall be inserted, namely :—

“3A. Prohibition of use of premises as factory without licences.—No occupier of a factory shall use any premises as a factory except under a licence obtained or renewed in accordance with the provisions of these rules”.

3. for rule 4, the following rule shall be substituted, namely :—

“4. Notice of occupation of a factory and application for its registration and grant of licence.—(1) The occupier or Manager of every factory coming within the scope of this Act, after its commencement shall submit to the Chief Inspector an application in triplicate in Form No. 2 for the registration of the factory and grant of a licence therefore:

Provided that the occupier or Manager of a place to which the provisions of the Act are made applicable by notification under section 85 of the Act shall submit an application within 30 days of the date of that notification.

(2) Every such application shall be accompanied by a Treasury Receipt or a Crossed Cheque or by a Crossed Indian Postal Order or a Bank draft or an Invoice for book adjustment as the case may be, for payment of the fee prescribed for the purpose as specified in the Schedule below :—

SCHEDULE

Quantity of K W. installed Maximum number of persons to be employed on any day during the year.

Maximum K.W.

		Upto 20	from 21 to 50	from 51 to 100	from 101 to 250	From 251 to 500	From 501 to 750	751 & above
Nil	Rs.	10	25	50	125	250	375	500
Upto 7.5	Rs.	25	50	60	150	300	450	600
Above 7.5 but not above 37.5	Rs.	50	75	100	250	500	750	1000
Above 37.5 but not above 75	Rs.	100	125	150	375	750	1125	1500
Above.	Rs.	150	200	250	500	1000	1500	2000

4. for rule 5, the following shall be substituted, namely:—

“5. *Grant of Licence.*—(1) The Chief Inspector may, on application being made to him under sub-rule (1) of rule 4 and on payment of fees prescribed in sub-rule (2) of rule 5 and on being satisfied that there is no objection to the grant of licence applied for register the factory and grant a licence in Form No. 4 to the applicant to use as factory such premises as are specified in the application and subject to compliance with such conditions as are specified in the licence:

Provided that, subject to the provisions of sub-section (3) of section 6, the Chief Inspector may refuse to register the factory and grant of a licence if he is satisfied :—

- (i) that an application is not accompanied by plans :—
 - (a) of the site on which the factory is to be situated, and
 - (b) for the construction or extension of the factory.
- (ii) that the plans so submitted have not been approved by the Chief Inspector;
- (iii) that the factory has not been constructed in accordance with the plans approved by the Chief Inspector or in compliance with the conditions subject to which the plans are approved:
- (iv) that material requirements of the relevant provisions specified in Schedules to rule 100 in relation to the Factory concerned have not been complied; or
- (v) that there is imminent danger to life in the factory due to explosive, or inflammable dust, gas or fumes, and effective measures, in his opinion have not been taken to remove the danger.

(2) Subject to the provisions hereinafter contained with respect to cancellation and unless earlier renewed under rule 7, every such licence shall re-

main in force until the 31st day of December next following and shall then expire;"

5. in rule 6,—

(i) in sub-rule (2),—

(a) after the words "Licence amended" the words "if there is change in the name of the factory, or" shall be inserted.

6. for rule 7, the following shall be substituted, namely.—
"7. Renewal of licence.—(1) An application for the renewal of licence shall be made to the Chief Inspector in Form No. 2 in triplicate accompanied by a Treasury receipt as a Crossed Cheque or by a Crossed Postal Order or Bank Draft or in Invoice for book adjustment as the case may be, for payment of the fees specified in the Schedule attached to rule 4, so as to reach him not later than two months before the date on which the licence is due to expire:

Provided that where a factory commences work on or after the 1st day of November in any year, application for renewal of Licence shall be made on or before the 1st day of January next following.

(2) On receipt of the application under sub-rule (1), the Chief Inspector may, if he is satisfied that there is no objection to the renewal of the licence, renew the same or may, after recording his reasons, refuse the renewal of licence applied for on any of the grounds specified in the proviso to sub-rule (1) of rule 5 :

Provided that where the application for the renewal of the licence is made after the expiry of the due date specified in sub-rule (1) it may be renewed on payment of an additional fee of 25 per cent of the fee payable for the renewal of the licence;"

7. after rule 7, following new rule shall be inserted, namely :—

"7A, When Licence deemed to be granted or renewed — Where an application for the grant or for renewal of licence is duly made in accordance with these rules, the Factory in respect of which the licence is to be granted or renewed, as the case may, renewed or until an intimation that the licence is granted or shall be deemed to be duly licenced until such licence is granted or renewal of the licence has been refused is communicated to such person.

*Explanation :—*For the purpose of this rule, an application for the grant of renewal of a licence shall be deemed to have been duly made only if it is in the prescribed form and is filled

in with all relevant particulars and further is accompanied by a treasury receipt or a crossed cheque or a crossed postal order or a bank draft or an invoice for book adjustment, as the case may be, for payment of the fees in accordance with the schedule annexed to rule 4",

8. for rule 10, the following rule shall be substituted, namely :—

"10. *Loss of licence.*—(1) where a licence granted under these rules is lost or destroyed, a duplicate thereof may be granted on payment of a fee of rupees five.

(2) The Chief Inspector may require a licence to obtain a duplicate licence on payment of rupees five, if the original licensee is defaced or spoiled:

Provided that Chief inspector may issue a duplicate licence without charge if he is satisfied that there are good and sufficient reason for doing so,"

9. in rule 11,

(a) for the marginal note, and sub-rule (1), the following shall be substituted, namely :—

"11 *Mode of payment of fees*—(1) Every application under these rules shall be accompanied by a treasury receipt showing that the appropriate amount of fee has been paid into the local treasury under the head of account. "XXXII-Misc, Social Service Development Organisation (a) Labour and Employment (2) fee realised under the Factories Act, 1948," or by a crossed cheque or crossed Indian postal order or bank draft for the appropriate amount of fees drawn in favour of Chief Inspector :

Provided that in case of a Government factory, payment of appropriate amount of fees shall made in the same manner as payments of amounts due by one Government Department to another are ordinarily made."

(b) after sub-rule (2), the following new sub-rule shall be added, namely :—

"(3) Where such application is granted, any amount paid by the applicant in excess of the prescribed fee shall be refundable only after the expiry of one year from the date of such grant or the same may be adjusted against payment of any fees due for the next succeeding year."

10. After rule 11, the following new rule shall be inserted, namely :—

"11A. *Suspension of licence.*—(1) If before the 31st October of any year an occupier notifies his intention in writing to

the Chief Inspector that during the year following, the premises in respect of which licence is issued will not be used for the working of the factory, the Chief Inspector may suspend the licence granted in respect of such factory.

(2) A licence suspended under sub-rule (1) may be reviewed on receipt of an application for renewal in Form No. 2 accompanied by the licence, for the remaining part of the year, on payment of surcharge of 10 per cent., in addition to the fees specified in these rules."

11. At the end of rule 13, following further provisos shall be added, namely :—

"Provided further that :—

(i) the District Magistrate shall not pass any original orders or remarks under sections 11.17 and 38 of the Act but shall limit and confine his orders or remarks under those sections to the points to which the full time Inspector of Factories, has already directed the attention of Manager or occupier of the factory as the case may be;

(ii) All additional Inspector except District Magistrate shall report the defects found and remedies suggested for enforcing compliance with requirements of sections referred to above, to the Chief Inspector who shall pass final orders in each case."

12. In the foil of form 5 prescribed under Rule 14 after the words "as nearly as can be ascertained from my examination" the words "date of birth" shall be added and in the counter-foil the wordings "age certified" under item 6 shall be substituted by "date of birth if available/and certified age."

13. After sub-rule (3) of rule 14, the following new sub-rule (4) shall be added, namely :—

"(4) (a) A fee of Re. 1/- shall be payable for the issue of every certificate of fitness issued under rule 14(2) and shall be paid by the occupier.

(b) A fee of Rs. 0.50 P. shall be payable of the issue of every duplicate certificate under rule 14(3) and shall be paid by the occupier.

(c) The Certifying Surgeon shall credit all the collections of fee made under sub-rule in the Government Treasury at the end of each quarter in head of account as given under rule 11,"

14. After rule 16, the following new rule shall be inserted, namely :—

"16A. *Compound to be kept clean.*—The compound surrounding every factory shall be maintained in a sanitary and clean condition, free of rubbish, filth or debris."

15. After rule 54, the following new rule shall be inserted, namely :—

"54. *Tight fitting clothing.*—A worker required to wear tight fitting clothing under sub-section (1) of section 22 shall be provided by the occupier with such clothing which shall consist of at least a pair of closely fitting shirts and a closely fitting half sleeve shirt or vest. Such clothing shall be returned to the occupier on termination of service or when new clothing is provided."

16. After rule 65, the following new rule shall be inserted, namely :—

"65A. *Protection of workers attending to prime movers.*—In every factory the work of oiling or attending to prime movers shall be done only by a specially trained adult male worker authorised to do such whose name has been recorded in the register maintained in Form 8.

(2) Every such worker while oiling or attending to a prime mover shall wear fitting clothing.

(3) A worker required to wear tight fitting clothing under sub-rule (2) shall be provided by the occupier with clothing which shall consist of at least a pair of closely fitting shirts and a closely fitting half sleeve shirt or vest. Such clothing shall be returned to the occupier on termination of service or when new clothing is provided."

17. After sub-rule (2) of rule 71, the following new sub-rule shall be added, namely :—

"(3) Where the canteen is managed by a Co-operative Society registered under the Rajasthan Co-operative Societies Act, 1953 the occupier shall provide the initial equipment for "such canteen and shall undertake that any equipment required" thereafter for the maintenance of such canteen shall be provided by such Co-operative Society."

18. For the rule 72, the following shall be substituted, namely :—

"72. *Prices to be displayed.*—The charges per portion of food stuff, beverages and other item served in the canteen shall be conspicuously displayed in the canteen."

19. To sub-rule (2) of rule 73, the following further proviso shall be added, namely :—

"Provided further that where the canteen is managed by a Co-operative Society, registered under the Rajasthan Co-operative Societies Act, 1953 the accounts pertaining to such canteen may be audited in accordance with the provisions of the Rajasthan Co-operative Societies Act, 1953."

20. To sub-rule (1) of rule 74, the following proviso shall be added, namely :—

"Provided that where the canteen is managed by a Co-operative Society registered under the Rajasthan Co-operative Societies Act, 1953 it shall not be necessary to appoint a canteen Managing Committee."

21. Sub-rule (5) of rule 74 shall be deleted.

22. For rule 75, following shall be substituted, namely:—

"75. *Foodstuffs to be served and prices to be charged.*—(1)

Inspector of Factories may, by any order in writing direct the Manager to provide in the canteen any item of foodstuff if he is satisfied that such item is in general demand. Such order shall specify the size of each portion to be served, the number of portion which shall be available and the frequency of serving the particular item per week. Such order shall also specify the time limit within which the order shall be complied with.

(2) Food, drink and other items served in the canteen shall be sold on non-profit basis and in computing the charges to be made for such food, drink or other items the following items shall not be taken into consideration, namely :—

- (a) the rent for the land and building;
- (b) the depreciation and maintenance charges of the building and equipment provided for the canteen;
- (c) the cost of purchase, repairs and replacement of equipment including furniture, crockery, cutlery and utensils;
- (d) the water charges and other charges incurred for lighting and ventilation; and
- (e) the interest "on the amounts spent on the provision and maintenance of furniture and equipment provided for the canteen:

Provided that where the canteen is managed by a Co-operative Societies Act; 1953 such society may include in the charges to be made for any such food, drink or other item served, a profit upto 5 per cent on its working capital employed in running the canteen."

23. After clause (d) of sub-rule (2) of Rule 76 the following new clause shall be added, namely :—

"(dd), Where in any factory washing facilities are not located near the rest or lunch room, a sufficient number of wash basins shall be provided, in the lunch room."

24. Rule 80 shall be substituted by the following, namely :—

"80. *Crèche Staff.*—For each creche there shall be appointed a woman incharge and an adequate number of female attendants to help the women incharge. The creche staff shall be provided with suitable clean clothes for use while on duty."

25. After rule 80, the following new rule shall be inserted, namely :—

“70A. *Qualification of a woman incharge.*—Except as provided in sub-rule (2) no woman shall be appointed under rule 80 as a woman incharge of a creche after the 1st of June, 1965 unless she produces a certificate that she has undergone training for a period of not less than 18 months in a hospital maternity home or nursing house approved in this behalf by the Chief Inspector of Factories, or produce a certificate that she has received training for a pre-primary teacher in an institution approved by the State Government.

(2) The provisions of sub-rule (1) shall not apply in case of a woman who is incharge of a creche in a factory on the 1st June 1965.”

26. at the end of rule 85, the following shall be added, namely :—

“This register shall be written up afresh each year and shall be preserved for a period of 12 months from the date of last entry in it.”

27. At the end of rule 91, the following shall be added, namely ;—

“The register shall be written up afresh each year and shall be preserved for a period of 12 months from the date of last entry in it.”

28. For rule 101, the following shall be substituted, namely :—

“101. *Notification of accidents.*—(1) where any accident specified in sub-clause (a) of clause I of the Schedule hereto appended or any occurrence specified in clause 2 of the said schedule takes place in a factory, the manager of the factory shall, within 4 hours of the happening of such accident or occurrence, send notice thereof by telephone, special messenger or telegram to the Inspector of Factories and where the accident is fatal, or of such a serious nature that it is likely to prove fatal, notice as aforesaid shall also be sent to :—

(a) the District Magistrate or Sub-Divisional Magistrate;

(b) the Officer incharge of the nearest police station;

(2) The notice so given shall be confined by the manager of the factory to the above mentioned authorities within 12 hours of the accident or occurrence by sending to them a written report in form No. 20.

(3) Where any accident of a minor character, specified in sub-clause (b) of the said clause I takes place in a factory the manager shall within 24 hours after the expiry of the period specified in the said sub-clause (b) send notice thereof to the Inspector in Form No. 20.

(4) If in the case of an accident, the injured person subsequently dies due to such accident, information of his death-when-ever known shall be sent by the Manager by telephone, special messenger or telegram within 24 hours of the occurrence to :—

- (a) the Inspector;
- (b) the District Magistrate or Sub-Divisional Magistrate; and
- (c) the Officer incharge of the nearest police station.

*Explanation :—*For the purpose of this rule, "accident of a serious nature" means an accident with results in—

- (i) immediate loss of any part of the body or any limb or part thereof;
- (ii) crushed or serious "injury to any part of the body due to which loss of the same is obvious or any injury which is likely to prove fatal;
- (iii) unconsciousness; or
- (iv) severe burns or scalds due to chemicals, steam or any other cause.

SCHEDULE

1. (a) Accidents which cause death to any person or are of a serious nature.

(b) Accidents which cause such bodily injury as prevents; or will probably prevent the person injured from working for a period of 48 hours immediately following the accident.

2. The following classes of occurrence whether or not they are attended by personal injury or disablement :—

- (a) Bursting of a plant used for containing or supplying steam under pressure greater than atmospheric pressure other than plant which comes within the scope of the Indian Boilers Act.
- (b) Collapse or failure of a crane, derrick, winch, hoist or other appliance used in raising or lowering persons or goods, or any part thereof, or the over-turning of a crane.
- (c) Explosion or fire causing damage to any room or place in which persons are employed or fire in rooms of cotton pressing factories when a cotton opener is in use.
- (d) Explosion of a receiver or container used for the storage at a pressure greater than atmospheric pressure of any gases (including air) or a liquid or solid resulting from the compression of gas.
- (e) Collapse or subsidence of any floor, gallery, roof, bridge, tunnel chimney, wall or building forming part of a factories or within the compound, or curtilage of factory."

29. After clause (c) of sub-rule 103 the following shall be inserted namely :—

(1) Rajasthan Chamber of Commerce and Industry, Jaipur.

(2) Rajasthan Small Scale Industries Association, Jaipur.

(3) Rajasthan Textile Mill Owner Association, Jaipur.

(4) Rajasthan Udyog Vyapar Mandal, Jaipur.

(5) Rajasthan Industrial and Mining Association, Bhilwara,

(6) The Employers Association of Rajasthan, Jaipur,

(7) Other Association of Employers in Industry concerned, if any.

30. For rule 108, the following shall be substituted, namely :—

"108 Muster Roll.—(1) The Manager of every factory shall maintain a muster roll of all the workers employed in the factory in form No. 28 showing (a) the name of such workers, (b) the nature of his work and (c) the daily attendance of the worker,

(2) The muster roll shall be written up afresh each month and shall be preserved for a period of three years from the date of last entry in it:

provided that if the daily attendance is noted in respect of adult and child workers in the registers of workers in form No. 14 & 15 respectively, or the particulars required under sub-rule (1) are noted in any other register and such registers are preserved for a period of three years from the date of last entry in them, a separate muster roll required under sub-rule (1) need not be maintained."

31. The following headings shall be inserted to rule 112 namely :—

"Repeal and Savings."

32. In form 2, appended to the Rule for clause (V) of item 8 the following shall be substituted, namely."

"(v) the Chief Administrative Head or any other officer nominated by the State Government as occupier in case of a Government Factory or factories run by the Local Authority or by any statute corporation or body.

33. In the form No. 22 in clause (ii) under the heading interpretation for the words and figures "Indian Mines Act, 1923 (IV of 1924)" the following all be substituted, namely :—

"The Mines Act 1952 (Central Act XXXV of 1952);".

34. The following shall be substituted for clause II in form No. 22, namely :—

"II. Leave with wages.—Section 79, 80 and 83 and Rule-

(1) Every worker who has worked for a period of 240 days or more in a factory during a calendar year shall be allowed during the subsequent calendar year leave with wages for a number of days calculated at the rate of—

- (i) if an adult one day for every 20 days of work performed by him during the previous calendar year;
- (ii) if a child one day for every 15 days of work performed by him during the previous calendar year.

(2) For the above purpose, any day of lay off by agreement or contract or as permissible under the standing orders (b) in case of female workers maternity leave for any number of days not exceeding twelve weeks; and (c) the leave earned in the year prior to that in which the leave is enjoyed, shall be deemed to be days on which the worker has worked in a factory for the purpose of computation for the period of 240 days or more but worker shall not earn leave for these days.

(3) The period of leave shall be exclusive of all holidays which may occur during or at either at end of the period of leave.

(4) For the leave allowed to him a worker shall be paid at a rate equal to the daily average of his total full time earnings, exclusive of overtime earnings, and, bonus but inclusive of dearness allowances and the cash equivalent of any advantage accruing by the sale, by the employer, of food grains and other articles at concessional rates for the days on which he worked during the month immediately preceding his leave.

(5) A worker whose service commences otherwise, then on the first day of January shall be entitled to leave with wages at the rate laid down in clause (i) or clause (ii) as the case may be, if he has worked for $\frac{2}{3}$ of the total number of the days in the remainder of the calendar year.

(6) If a worker entitled to leave with wages is discharged from the factory before he has taken the entire leave to which he is entitled, if having applied for and having not being granted such leave, he quits his employment before he has taken the leave, the occupier of the factory shall pay him the amount payable in respect of the leave not taken and such payment shall be made before the expiry of the 2nd working day after the day on which his employment is terminated.

(7) The manager shall maintain a leave with wages register in the prescribed form No. 16 and shall provide each worker with a book called "The leave book" in the prescribed form No. 17. The leave book shall be the property of the worker and the manager or his agent shall not demand except to make entries and shall not keep it for more than a week at a time. If a worker loses his leave book the manager shall provide him with another copy on payment of fifteen naya paisa and shall complete it from his record.

Rajasthan Factories Rules, 1951

Labour And Employment Department

Notification No. F. 1 (5) (14) 150/66, dated July 16, 1968.—

Whereas the rules 86 to 89 of the Rajasthan Factories Rules, 1951, made under section 64 of the Factories Act, 1948 (Act No. LXIII of 1948), have expired and whereas the State Government proposes to make fresh Rules for the same.

Now, therefore, in exercise of the powers conferred by section 64 and 112 of the Factories Act, 1948 (Central Act No. LXIII of 1948) the State Government hereby makes the following rules in the Rajasthan Factories Rules, 1951 the same having been previously published, namely:—

RULES

In the said Rules:—

After Rule 83 the following Rules shall be inserted, namely:—

86. **Persons to hold position of supervision or management.**—The following persons shall be deemed to hold position of supervision or management:—

(a) All persons specified in the Schedule annexed thereto,

(b) Any other person who in the opinion of the Chief Inspector holds a position of Supervision or Management in a factory and is declared so in writing by him on application by the Manager of the factory under such condition as may be imposed by the Chief Inspector.

SCHEDULE

List of persons defined to hold positions of supervision or management in Factories:—

1. *All Factories.*

Manager

Assistant Manager

Labour Officer

Welfare Officer

Departmental heads and Assistants.

Engineers (including Assistant Engineers)

Head Storekeepers

Such boiler attendants who are in charge of battery of boilers and are only required to the supervisory work.

Technical experts,

Head Electrician.

II. *Engineering Workshop.*

Foremen,

Inspectors,

Chargemen,
Workshop Overseers.

(In addition to persons in the list "I: All Factories" above)

III. Spinning and Weaving Mills.

Engineering Departments.

Foremen Mechanics.

Spinning Departments.

Jobbers or Muccadams.

(NOTE:—Spinning Department shall, for the purpose of this rule, be deemed to include also the blowing, carding, drawing and frame departments.)

Weaving Departments.

Jobbers, Overseers or Muccadams.

(NOTE:—Weaving departments shall, for the purpose of this rule, be deemed to include preparatory departments of winding, warping, and sizing).

Dyeing, Bleaching, Folding, Calendering, Finishing & Cloth Printing Departments.

Jobbers, Overseers or Muccadams.

(In addition to persons in the list "I: All Factories", above.)

87. **Persons defined to hold confidential positions.**—(1) All time-keepers employed in a factory shall be deemed to be employed in a confidential position in the Factory.

(ii) Any other person who in the opinion of the Chief Inspector holds a confidential position in the factory, and is declared, so in writing by him, on application by the manager of the factory under such conditions as may be imposed by the Chief Inspector.

88. **List to be maintained of persons holding confidential position or position of supervision or management.**—A list showing the names, designation and nature of work of all such persons to whom the provision of sub-section (1) of section 64 have been applied shall be maintained in every factory, and a copy thereof shall be sent to the Inspector.

89. **Exemption of certain adult workers.**—Adult workers engaged in factories specified in Column 3 of the Schedule hereto annexed on the work specified in column 4 of the said schedule shall be exempted from the provisions of the section specified in column 5 of the said schedule subject to the conditions, if any, specified in column 6 of the said schedule.

Provided that—

- (a) no female adult workers shall be required or allowed to work for more than nine hours in any day;
- (b) except in the case of urgent repairs (1) no male adult worker shall be required or allowed to work for more than ten hours in any day;

- (2) no male adult workers shall be required or allowed to work in any quarter for more than fifty hours overtime on weekly limits;
- (3) period of work for each male adult worker shall be so arranged that, inclusive of his interval for rest they shall not spread over more than twelve hours, in any day.

Provided further that the restrictions imposed by sub-clauses (1) and (3) shall not apply in the case of a shift worker engaged in factories specified against serial Nos. 9, 11 to 21, 23 to 34 (i), 35 (i), 43, 45 and 57 (i) of the schedule, who is allowed to work the whole or part of subsequent shift in the absence of a worker who has failed to report for duty.

SCHEDULE

S. No.	Section of the Act empowering grant of exemption	Class of Factory	Nature of exempted work	Extent of exemption	Conditions
1	2	3	4	5	6
1.	64 (2) (a) and 64 (3)	All Factories.	Urgent repairs (urgent repairs shall mean work to be done to machinery or plant but only so far as may be necessary to avoid serious interference with the ordinary working of the undertaking).	Sections 51, 52, 54, 55, 56 and 61.	(a) Unless the Inspector gives permission in writing for reporting otherwise than as herein laid down, the employment of persons on urgent repairs, the manager— (i) shall send within twenty-four hours of the commencement of work on urgent repairs written notice to the Inspector describing briefly the nature of the urgent repairs and the probable period of their duration and (ii) shall send weekly during the continuance of the work on urgent repairs a statement giving the names of all the persons, who have worked for more than nine hours in any one day or for more than

forty-eight hours of the proceeding week in a factory. Such statement shall also show total number of hours worked each day of the week.

(b) If the Inspector is of opinion that any work being carried on or likely to be carried on in a factory as "urgent repair" is not "urgent repairs," the Inspector shall serve the manager an order to that effect and the manager shall in respect to such work not allow any worker to work in contravention of the provisions of sections 51, 52, 55, 56, 56 and shall comply with section 61.

(a) Such workers shall be allowed not less than two holidays in each period covered by four consecutive statutory factory holiday and shall not be allowed to work for more than six hours on any of the other two weekly holidays.

(b) The notice required by Section 52 shall be delivered to the office of the Inspector

Sections 51,
52, 54, 55,
56 and 61.

Works performed by:—

(i) All workers attending to engines and boilers or generators of gas preparatory to the commencement of regular work.

(ii) Workers attending to mill gearings, starting, stopping and

2. 64 (2) (b), All Factories other than those on continuous process.
64(2) (h) and
64 (3)

1	3	4	5	6
		maintaining electric motors and connected switch gear.		showing on which days holidays will be allowed ;
		(iii) Departmental boilers.		
		(iv) Workers attending to Mechanical or electric lifts.		
				(c) Intervals for food and rest shall be given to all workers allowed to work on such work;
				(d) No workers shall be allowed to work for more than fifty-four hours if any one week; and
				(e) Register or muster roll required to be maintained under section 62 shall show correctly full particulars of periods within which each such workers may be required to work.
				Entries in the register or muster roll shall be up-to-date.
				(a) Intervals for food and rest shall be given to all such workers.
				(b) Register or muster roll required to be maintained under Section 62 shall show correctly full particulars of periods within which each such worker may be required to work; the entries in the register or muster roll shall be up-to-date.
3. 64 (2) (b) and 64 (3)	All Factories.	Works performed by drivers on lighting, ventilating and hydriding apparatus.	Sections 51, 54, 55, 56 and 61	

Register or muster roll required to be maintained under section 62 shall show correctly full particulars or periods within which each such worker may be required to work; the entries in the register or muster roll shall be up-to-date.

(a) No workers shall be allowed to work for more than fifty one hours in any one week.

(b) No worker shall be allowed to work in such a manner that the spread over exceeds ten and a half hours except on one day in a week previously notified to the Inspector when it shall not exceed twelve hours.

The intervals for food and rest totalling one hour, if working hours exceed eight and half in a day or half an hour, if working hours do not exceed eight and half hours shall be given to each worker every day and the register or muster roll maintained in

Work performed on the Sections 51, stem of water pipes or 54, 55, 56 pumps of a factory. and 61.

Work involved in cleaning below room flues. Sections 51, 54, and 56

Sections 51, 54 and 56.

(i) All Factories.

(ii) Cotton Spinning and Weaving Mills,

Dyeing and bleaching factories or departments. Work performed by kiermen.

4. 64 (2) (b) and 64 (3)

5. 64 (2) (b)

6. 64 (2) (b)

Cloth Printing Factories or departments or factories carrying on printing, sanforizing, finishing and mercerising of cloth.

Work in the nature or preparatory or complementary to main operations.

Section 51, 54 and 56.

accordance with section 62 shall show correctly the periods of each worker.

do-

7. 64 (2) (d)

Cloth printing factories or departments or factories and bleaching, raising, finishing, mercerising, dyeing, singeing and sanforizing departments of factories.

All work.

Section 55.

Workers shall be allowed to work on shift of not longer than eight hours duration.

7. 64 (2) (d)

All Factories other than cotton spinning and weaving mills.

(a) Work performed by oilers, and

Sections 51, 54 and 56.

(b) Work in mechanic shops, smithies of foundries so far as such work is complementary to the main operations.

This exemption shall not apply:-

- (i) in the case of work performed by oilers, where these workers of the factories in which the work have been exempted from the provisions of section 52 or 55 and to the work in the machine shop, smithie or foundry portion

of Engineering. Workshop or to a smithie or foundry used solely as such.

Sections 51, 52, 54, 55, 56 and 61

Work performed by workers in connection with pumping operations.

9. 64 (2) (d),
64 (3)
64 (4)

- (a) Interval for food and rest shall be given to all workers allowed to work on such work;
(b) A compensatory rest period of at least twenty-four consecutive hours shall be given to each worker after the cessation of the pumping operation continuing after 10 p.m.;
(c) Notice of such pumping operations with the number of workers allowed to work shall be sent to the Inspector as soon as possible after commencement of such work;
(d) Exemption from section 61 shall be availed of only during the continuance of pumping operations.

- (a) The workers shall be allowed to work on shifts of not longer than eight hours duration;
(b) In the absence of a worker who has failed to report for duty a shift worker may be allowed to work the whole or

Sections 51, 52, 55 and 56

Operation and maintenance of—

10. 64 (2) (d) and 64 (4)
(i) prime movers and auxiliaries, generators, transformers and switch gear ;

Public electricity supply factories generating electricity in any manner and those engine rooms and boiler departments generating electricity in any manner for their

1	2	3	4	5	6
	own use employing workers on shifts of not more than eight hours each,		(ii) boilers and auxiliaries.		part of a subsequent shift provided that the next shift of the shift worker shall not commence before a period of 16 hours has elapsed after the (specified) stopping time of the shift to which the worker belongs;
					(c) No workers shall be allowed to work for more than fifty-six hours in any one week except that when employed as in condition (b) above he shall not be allowed to work for more than sixty four hours in any one week
					(d) Such workers shall be allowed not less than two holidays in each period covered by four consecutive statutory factory holidays.
11. 64 (2) (d) and 64 (4)	Electrical receiving stations and sub-station or in any factory, the departments of the factory receiving and distributing electrical energy for the use of the factory.		Operations and maintenance of transformers and their auxiliaries including receiving and distribution switch gear lighting arrestors, synchronous and other condensers and rotary and static condensers.		Sections 51. 52, 54, 55 and 56. As in exemption No. 10.

12-64 (2) (d) and 64 (4)	Factories or departments of Factories charging electaical accumulators.	Operations in connection with charging eletrical accumulators.	Sections 51, 52, 54, 50, 55 and 56.	As in exemption No. 10
13. -do-	Distilleries.	Work on the extraction of sugar from various bases, fermentation of sugar juice & distillation of fermented wash.	-do-	-do-
14. -do-	Sugar Factory.	“Operations beginning with receiving and weighing of cane and ending with bagging of sugar”	-do-	-do-
15. -do-	Chemical factories.	All continuous process work.	Sections 51, 52, 54, 55 and 56.	-do-
16. -do-	Vegetagle oil hydrogenera- tion factories.	The works viz , refining bleaching filtering, generation of hydrogen, hydrogenating and deodri- sing processes, also compression of oxygen and the cylinder filling.	-do-	-do-
17. -do-	Megnesium chloride fac- tories.	The work on concentra- ting process.	-do-	-do-
18. -do-	Public pumping and com- pressor stations.	All work.	-do-	-do-
19. 64 (2) (d) & 64 (4)	Water supply pumping factories of railway workshops.	All work.	Sections 51, 52 54, 55 and 56.	As in exemption No. 10.

1	2	3	4	5	6
20.	-do.	Ice factories.	Work of the engine and compressor drivers and assistants and oilers.	-do.	-do.
21.	-do.	Carbonic acids gas works	Work of firemen, pump-men, plant drivers, oilers and the filling of cylinders.	-do.	-do.
20. 64 (2) (b)	-do.		Work of fireman to lightye-boiler.	Sections 51, 54 and 55	These exemptions shall be availed of only one day when plant is reortarted after closer.
23. 64 (2) (d) & 64 (4)	-do.	Carbonic acid gas solidification works.	All work except packing blocks.	Section 51, 52, 54, 55 & 56	As in exemption No. 10.
24.	-do.	Oxygen factories.	Engine and plant drivers, oilers and filling of cylinders.	-do.	-do.
25.	-do.	Coal gas factories.	All work in the retorte house and on the water gas plant, work of the male yards labour staff in unloading coal, feeding hoppers and removing coke work on the syphomes, boilers, station meters and governors.	-do.	-do.
26.	-do.	Hydraulic puming stations.	All work.	Sections 51, 52, 54, 55 & 56	As in exemption No. 10

27	-do-	Paper, cardboard and straw board factories working on three eight hours shifts system.	Work performed by male adult workers on choppers digesters, kheelers, stainers and washers paper-, beaters, making machines, pumping plants, reelers and cutters.	-do-	-do-
28.	-do-	Cement factories and asbestos cement factories.	All work on continuous process units.	-do-	-do-
29.	-do-	Glycerine factories.	All work on continuous work.	-do-	-do-
30.	-do-	Dextrine manufacturing factories.	-do-	-do-	-do-
31.	-do-	Acetylene factories.	Generation of gas and filling of cylinders.	-do-	-do-
32.	-do-	Starch factories working in 8 hours shifts.	All work except the engineering department and work in the cell room.	Sections 51, 52, 54, 55 and 56.	As in exemption No. 10.
33.	64 (2) (d) & 64 (4)	Potassium chlorate factories to ries.	All work on furnace.	-do-	-do-
34.	-do-	(i) Ferrous and non-ferrous metal factories.	Hot rolling.	Section 55.	Workers shall be allowed to work on shifts not longer than eight hours duration.
	64 (2) (d)	(ii)	Work on furnace and crystallisers.	Sections 51, 52, 54, 55 and 56.	As in exemption No. 10.
35.	64 (2) (d) & 64 (4)	(i) Sodium and potassium bicromate factories.	All other work.	Section 55.	Workers shall be allowed to work on shifts not longer than eight hours duration.
	64 (2) (d)	(ii)	Sodium and potassium bicromate factories.		

1	2	3	4	5	6
36.	-do-	Oil Mills.	All continuous process work.	-do-	-do-
37.	-do-	Flour Mills.	All work.	-do-	-do-
38, 64 (2) (b)	(i)	Gur factories.	The work performed by workers in crushing and 56. Sugarcane.	-do-	-do-
64 (2) (c) & 64 (3)	(ii)	Gur factories.	All other work except crushing sugarcane.	Sections 51, 54, 55, 56 and 61.	
39. 64 (2) (d)	Cement tiles factories.	Work on the "curing" of tiles.	Sections 51 and 52.	<p>A notice showing the periods of work of the crusher shall be exhibited in the factory and a copy shall be sent to the Inspector.</p> <p>(a) No worker shall be allowed to work for more than four hours on any of the weekly holidays;</p> <p>(b) No worker shall be allowed to work on consecutive weekly holidays;</p> <p>(c) No worker shall be allowed to work in excess of limits of weekly hours of work as laid down in section 51 except during the week, when the worker work on a weekly holiday as in (a) above and when his total hours of work may be allowed to exceed the</p>	

weekly limit laid down in section 51 by the number of not exceeding 4 worked on the weekly holidays.

(a) Intervals for food and rest shall be given to all workers allowed to work on such work.

(b) Register or muster roll required to be maintained under Sec. 62. shall show correctly full particulars of periods within which each such worker may be required to work entries in the register or muster roll shall be up-to-date.

(a) No worker shall be allowed to work on consecutive weekly holidays.

-do-

As in exemption No. 10.

(a) The workers shall be allowed to work on shifts of not longer than eight hours duration.

(b) Intervals for food and rest shall be given to all workers allowed to work on such work.

Work performed by "Baramasees" on salt Kyars. Sections 51, 54, 55, 56 and 61.

Sections 52 & 55.

-do-

Sections 51, 52, 54, 55 and 56.

Section 55.

All workers.

Works persons employed in drying, lifting an storing of paddy.

All work except packing work in engineering department.

(i) Work on the reducing furnace.

(ii) All continuous process work in Electrolytic relating factories.

40. 64 (2) (c) & 64 (3) Salts factories.

41. 64 (2) (g) & 64 (3) Salt Factories.

42. 64 (2) (g) & 64 (3) Rice Mills.

43. 64 (2) (d) & 64 (4) Glass Factories.

44. 64 (2) (d) Smelting and Refining Factories.

1	2	3	4	5	6
45. 64 (2) (d) & 64 (4)	Rubber Tyre Factories.	All work on curing process.	Sections 51, 54, 55 and 56.	(a) The workers shall be allowed to work on shifts of not longer than eight hours durations.	(b) In the absence of a worker who has failed to report for duty a shift worker may be allowed to work the whole or part of a subsequent shift, provided that the next shift of the shift worker shall not commence before a period of 16 hours has elapsed after the (specified) stopping time of the shift to which the worker belongs.
46. 64 (2) (d)	Soap Factories.	Work on Soap boiling pans and Soap drying pans.	Section 55	Worker shall be allowed to on shifts of not longer than eight hours duration.	Worker shall be allowed to on shifts of not longer than eight hours duration.
47. 64 (2) (d)	Pottery work.	(i) Work of fireman on kilns.	Section 58	(a) Worker shall be allowed to work on shift of not longer than eight hours duration.	(b) No worker shall be allowed to work on consecutive weekly holidays.
48. 64 (2) (d)	Brick Factories.	Work of fireman on kilns	Section 55	As in exemption No. 46.	-do-
49. 64 (2) (d)	Plastic Factories.	Work on plastic injection machine & plastic extruding machines.	Section 55		

50. 64 (2) (d)	Pharmaceutical factories.	All continuance process work.	Section 55.	As in exemption No. 46.
51. 64 (2) (e)	All Factories	Telephone operators.	Section 55.	The intervals for food and rest totalling and hours if working hours exceed eight and a half in a day, or half an hour, if working hours does not exceed eight and half hours shall be given to each worker every day and the same noted in the register or muster roll maintained in accordance with section 62.
52. 64 (2) (i)	News Paper printing presses.	(a) All work on daily newspaper. (b) All work on weekly newspaper.	Sections 51, 54, 55 and 56. Sections 51, 54, 55 and 56.	(a) No worker shall be allowed to work for more than 56 hours in any week. (b) No overtime shall be carried on except for two days prior to the date of publication of the weekly newspaper. (c) The exemption under this entry shall be availed of only in that section of the press where there is a break-down of machinery.
53. 64 (2) (j) & 64 (3)	All Factories.	Loading and unloading of railway wagons.	Sections 51, 52, 54, 55, 56 and 61.	Exemption from. Section 61 may be availed of provided that every worker at the end of the

day's work is supplied with a note showing the total No. of hours of work put in by such worker.

54. 64 (2) (d)

Cycle Manufacturing factories.

Work in colouring and enamelling section and semi-automatic plating plant.

Section 55

As in exemption No. 46.

55. 64. (2) (d)

Confectionery manufacturing.

Making of malted chocolate flavoured food and chocolate making.

Section 55

-do-

56. 64 (2) (d)

Chemical products Factories.

Process of manufacturing Activated Carbon.

Sections 51, 52, 55 and 56.

(a) The workers shall be allowed to work on shift of not longer than eight hours duration.

(b) No worker shall be allowed to work in such a manner that the spreadover exceeds twelve hours in any day and this shall be permissible only to cases when a shift reliever working on continuous process does not attend at the correct time and

- alternative relief can not be arranged.
- (c) No worker shall be allowed to work more than fifty six hours in any one week except that when employed as in condition (b) above he shall not be allowed to work for more than sixty four in any week.
- (d) Such workers shall be allowed not less than two holidays in each period covered by four consecutive statutory holidays. As in exemption No. 10.
- Workers shall be allowed to work on shift of not longer than eight hours duration.
- (1) Workers shall be allowed to work on shift of not longer than eight hours duration.
- (2) Workers shall be given specified rest intervals for food and rest.
- (a) The workers shall be allowed to work on shift of not longer than eight hours duration ;
57. 64 (2) (d) & 64 (4) Sec. 64 (2) (d) (i) Power Cable Factories Work on imprignation of paper insulated laid up cables. Sections 51, 52, 54, 55 & 56.
- (ii) -do- Work on wire annealing furnaces lead sheathing and armouring. Section 55.
58. 64 (2) (d) Cotton spinning and weaving mills. Work on hot air sizing machines. Section 55.
59. 64 (2) (d) Enamelling Wire Manufacturing Factory. Work of Enamelling Wires. Sections 51, 54, 55 & 56.

1	2	3	4	5	6
					<p>(b) In the absence of a worker who has failed to report for duty, a shift worker may be allowed to work the whole or part of a subsequent shift; provided that the next shift of the shift worker shall not commence before a period of 16 hours has elapsed after the (specified) stopping time of the shift to which the worker belongs;</p> <p>(c) No worker shall be allowed to work for more than fifty six hours in any one week except that when employed as in condition (b) above he shall not⁴ be allowed to work for more than sixty four hours in any one week.</p>

Rajasthan Factories Rules, 1951

Labour and Employment Department

Notification No. F. 2(3) (9) L&E/65, dated November 20, 1968.—In exercise of the power conferred by section 112 read with section 87 of the Factories Act, 1948 (Central Act LXIII of 1948) the State Government hereby makes the following amendments in the Rajasthan Factories Rules, 1951 the same having been previously published in the Rajasthan Gazette part III (B), dated twelfth of January, 1966 as required by 115 of the said Act, namely:—

AMENDMENTS

1. In Rule 100 of the said Rules:—

1. In sub-rule (1) for clause 8 of the following shall be substituted, namely:—

“8. Cleaning or smoothing, roughening, etc. of articles by a jet of sand metal shot or grit, or other abrasive propelled by a blast of compressed air or steam.”

II. for Schedule VIII, the following schedule shall be Substituted namely.

SCHEDULE VIII

Cleaning or smoothing, roughening, etc of articles, by a jet of sand, metal shot or grit, or other abrasive propelled by a blast of compressed air or steam.

Definitions:—

(i) “Blasting” means cleaning, smoothing, roughening, or removing of any part of the surface of any article by the use as an abrasive of a jet of sand, metal shot, or grit or other material, propelled by a blast of compressed air or steam.

(ii) “Blast enclosure” means a chamber, barrel, cabinet or any other enclosure designed for, the performance of blasting therein.

(iii) “Blast Chamber” means a blasting enclosure in which any person may enter at any time in connection with any work or otherwise.

(iv) “Cleaning of castings” where done as an incidental or supplemental process in connection with the making of metal castings, means the freeing of the casting from adherent sand or other substance and includes the removal of cores and the general smoothing of a casting, but does not include the free treatment.

2. *Prohibition of Sand Blasting:—*Sand or any other substance containing free silica shall not be introduced as an abrasive into any blasting apparatus and shall not be used for blasting:

Provided that, this clause shall come into force two years after the coming into operation of this Schedule.

Provided further that, no woman or young person shall be employed or permitted to work at any operation of sand blasting.

3. *Precautions in connection with Blasting Operations.*

(1) *Blasting to be done in blasting enclosure.*—Blasting shall not be done except in a blasting enclosure and no work, other than blasting and any work immediately incidental thereto and clearing & repairing of the enclosure including the plant & appliances situated therein, shall be performed in a blasting enclosure. Every door, aperture and joint of blasting enclosure shall be kept closed and air tight while blasting is being done therein.

(2) *Maintenance of blasting enclosure.*—Blasting enclosure shall always be maintained in good condition and effective measures shall be taken to prevent dust escaping from such enclosures, and from apparatus connected therewith, into the air of any room.

(3) *Provisions of Separating apparatus.*—There shall be provided and maintained for and in connection with every blasting enclosure, efficient apparatus for separating, so far as practicable. Abrasive which has been used for blasting and which is to be used again as an abrasive, from dust or particles of other materials arising from blastings and no such abrasive shall be introduced into any blasting apparatus and used for blasting until it has been so separated:

Provided that this clause shall not apply, except in the case of blasting chambers, to blasting enclosures constructed or installed before the coming into force of this Schedule, if the Chief Inspector is of opinion that it is not reasonably practicable to provide such separating apparatus.

(4) *Provision of ventilating plant.*—There shall be provided and maintained in connection with every blasting enclosure efficient ventilating plant to extract, by exhaust draught effected by mechanical means, dust produced in the enclosure. The dust extracted and removed shall be disposed of by such method and in such a manner that it shall not escape into the air of any room; and every other filtering or settling device situated in a room in which persons are employed, other than persons attending to such bag or other filtering or settling device, shall be completely separated from the general air of that room in an enclosure ventilated to the open air.

(5) *Operation of ventilating plant.*—The ventilating plant provided for the purpose of sub-clause (5) of clause 3 shall be kept in continuous operation whenever the blasting enclosure is in use whether or not blasting is actually taking place therein and in the case of a blasting chamber, it shall be in operation even when any person is inside the chamber for the purpose of cleaning or any repair work.

4. *Inspection and Examination.*—Every blasting enclosure shall be specially inspected by a competent person at least once every week in which it is used for blasting. Every blasting enclosure, the apparatus connected therewith and the ventila-

ting plant, tested by a competent person at least once in every month.

(2) Particulars of the result of every such inspection, examination and test shall forthwith be entered in a register which shall be kept in a form approved by the Chief Inspector and shall be available for inspection by any workman employed in or in connection with blasting in the factory. Any defect found on any such inspection, examination or test shall be immediately reported by the person carrying out the inspection, examination or test to the occupier, manager or other appropriate person and without prejudice to the foregoing requirements of this schedule, shall be removed without available delay.

5. Provision of protective helmets, gauntlets and overalls.—

(1) There shall be provided and maintained for the use of all persons who are employed in a blasting chamber, whether in blasting or any work connected therewith or in cleaning such a chamber, protective helmets of a type approved by a certificate of the Chief Inspector and every such person shall wear the helmet provided for his use whilst he is in the chamber and shall not remove it until he is outside the chamber.

(2) Each protective helmet shall carry a distinguishing mark indicating the person by whom it is intended to be used and no person shall be allowed or required to wear a helmet not carrying his mark or a helmet which has been worn by another person and has not since been thoroughly disinfected.

(3) Each protective helmet when in use shall be supplied with clean and not unreasonably cold air at a rate or not less than six cubic feet per minute.

(4) Suitable gauntlets and overalls shall be provided for the use of all persons while performing blasting or assisting at blasting, and every such person shall while so engaged wear the gauntlet and overall provided.

6. Precautions in connection with cleaning and other work.—

(1) Where any person is engaged upon cleaning of any blasting apparatus or blasting enclosure of any apparatus of ventilating plant connected therewith or the surroundings thereof or upon any other work in connection with any blasting apparatus or blasting enclosure or with any apparatus or ventilating plant connected therewith so that he is exposed to the risk of inhaling dust which has arisen from blasting.

(2) In connection with any cleaning operation referred to in clause 5, and with the removal of dust from filtering or setting devices all practicable measures shall be taken to dispose of the dust in such a manner that it does not enter the air of any room. Vacuum cleaners shall be provided and used wherever practicable for such cleaning operations.

*7. Storage accommodation for protective wear.—*Adequate and suitable storage accommodation for the helmets, gauntlets

and overalls required to be provided by clause 5 outside and conveniently near to every blasting enclosure and such accommodation shall be kept clean. Helmets, gauntlets and overalls when not in actual use shall be kept in this accommodation.

8. *Maintenance and cleaning of protective wear.*—All helmets, gauntlets, overalls and other protective devices or clothings provided and worn for the purpose of this schedule, shall be kept in good condition and so far as is reasonably practicable shall be cleaned on every week-day in which they are used. Where dust arising from the cleaning of such protective clothing or devices is likely to be inhaled, all practicable measures shall be taken to prevent such inhalation. Vacuum cleaners shall, wherever practicable, be used for removing dust from any clothing.

9. *Maintenance of Vacuum cleaning plant.*—Vacuum cleaning plant used for the purpose of this schedule shall be properly maintained.

10. *Restriction in employment of young persons.*—(1) No person under 18 years of age shall be employed in blasting or assisting at blasting or in any blasting chamber or in the cleaning of any blasting apparatus or any blasting enclosures or any apparatus or ventilating plant connected therewith or be employed on maintenance or repair work at such apparatus, enclosure or plant.

(2) No person under 18 years of age shall be employed to work regularly within twenty feet of any blasting enclosure unless the enclosure is in a room and he is outside that room where he is effectively separated from any dust coming from the enclosure.

11. *Power to exempt or relax.*—(1) If the Chief Inspector is satisfied that in any factory or any class of factory, the use of sand or other substance containing free silica as an abrasive in blasting is necessary for a particular manufacture or process (Other than the process incidental or supplemental to making of metal castings.) and that the manufacture or process cannot be carried on without the use of such abrasive; or that owing to the special conditions or special method of work or otherwise any requirement of this Schedule can be suspended either temporarily or permanently, or can be relaxed without endangering the health of the person employed or that application of any of such requirements is for any reason impracticable or inappropriate, he may, with the previous sanction of the State Government, by an order in writing exempt the said factory or class of factory from such provisions of this Schedule, to such an extent and subject to such conditions and for such period as may be specified in the said order.

(2) Where an exemption has been granted under sub-clause (1), a copy of the order shall be displayed at a notice

board at a prominent place at the main entrance or entrances to the factory and also at the place where the blasting is carried on.

III. in sub-rule (1) after clause 14, the following new clauses shall be inserted, namely:—

15. Handling and processing of Asbestos, manufacture of any article of Asbestos and other process of manufacture or otherwise in which Asbestos is used in any form.

16. Manufacture of articles from refractory materials including manufactures of refractory bricks.

IV. after schedule XIV, the following new schedules shall be inserted, namely:—

SCHEDULE XV

1. *Application.*—This schedule shall apply to factories in which any of the following processes are carried on:—

(i) Breaking, crushing, disintegrated, opening, grinding, mixing or sieving of Asbestos and any other process involving handling and manipulation of asbestos and incidental thereto.

(ii) all processes in the manufacture of asbestos textiles including preparatory and finishing processes;

(iii) making of insulation slabs or sections, composed wholly or partly of asbestos, and processes incidental thereto;

(iv) making or repairing of insulating mattresses, composed wholly or partly of asbestos, and processes incidental thereto;

(v) Manufacture of asbestos card board and paper.

(vi) Application of asbestos by spray method;

(vii) Manufacture of asbestos cement goods;

(viii) Sawing, grinding, turning, abrading and polishing, in the dry state, of articles composed wholly or partly of asbestos;

(ix) cleaning of any room, vessel, chambers, fixture or appliances for the collection of asbestos dust :

Provided that, if, the Chief Inspector is satisfied in respect of any factory or workshop or part thereof that by reason of the restricted use of asbestos or the method of working, of occasional nature of work, or otherwise, all or any of the provisions of this schedule can be suspended or relaxed without danger to the health of the persons employed therein, he may grant suspension or relaxation in writing under such conditions as he may think fit. Any such certificate may be revoked at any time.

2. Definitions :—

(i) 'Asbestos' means any fibrous silicate mineral, and admixture containing any such mineral, whether crude, crushed or opened.

(ii) 'Asbestos textiles' means yarn or cloth composed of asbestos or asbestos mixed with any other material.

(iii) 'Preparing' means crushing, disintegrating, and any other process in or incidental to the opening of asbestos.

(iv) 'Approved' means approved for the time being in writing by the Chief Inspector;

(v) 'Breathing Apparatus' means a helmet or face piece with necessary connection by means of which a person using it breathes air free from dust or any other approved apparatus.

3. An exhaust draught effected by mechanical means which prevents the escape of asbestos dust into the air of any room in which persons work shall be provided and maintained for:—

(a) manufacturing and conveying machinery, namely :—

(i) preparing, grinding or dry mixing machine;

(ii) carding, card waste-end, ring spinning machines and looms;

(iii) machines or other plant fed with asbestos;

(iv) Machines used for the sawing, grinding, turning, abrading or polishing, in the dry-state, of articles composed wholly or partly of asbestos;

(b) Cleaning and grinding of the cylinders or other part of a carding machines;

(c) chambers hoppers or other structures into which loose asbestos is delivered or passes;

(d) work benches for asbestos waste sorting or for other manipulation of asbestos by hand;

(e) work places at which the filling of employing of skips sacks or other portable containers, weighing or other process incidental thereto which is effected by hand, is carried on;

(f) sack-cleaning machines:

Provided that this clause shall not apply (i) to a machine or other plant which does not give rise to asbestos dust into the air of any room in which persons work, or (ii) where the asbestos is so wet so treated with grease or other material as to prevent the evaluation of dust, or (iii) to the making of repairing of insulating mattresses; or (iv) to mixing or blending by hand of asbestos.

4. (i) Mixing or blending by hand of asbestos shall not be carried on except with an exhaust draught effected by mechanical means so designed and maintained as to ensure as far as practicable the suppression of dust during the processes.

(2) In premises which are constructed or reconstructed after this schedule comes into force, the mixing or blending by hand of asbestos shall not be done except in a special room or place in which no other work is ordinarily carried on.

3. (i) The making or repairing of insulating mattresses composed wholly or partly of asbestos shall not be carried on in which any other work is done,

(ii) In every room in which the making or repairing of insulating mattresses is carried on—

(a) adequate exhaust and in let ventilation in accordance with arrangements to be approved in each case shall be provided and maintained.

(b) no person other than those engaged in filling, beating or levelling shall be present whilst such processes are being carried on and work shall not be resumed in the room after filling, beating or levelling, for at least ten minutes.

(c) the floors, and benches shall be kept damped so as to prevent dust arising therefrom effectively; and

(d) the covers shall be effectively damped immediately after being out and in the case of filled mattresses, shall be kept damp whilst filling, beating or levelling is being carried on.

(4) (a) Storage chambers or bins for loose asbestos shall, in the case of premises constructed or reconstructed after this Schedule comes into force, be effectively separated from any workroom and, in the case of other premises be effectively separated from any work room in which the asbestos is not required for the purposes carried on in the room.

(b) Chambers or apparatus for dust settling and filtering shall not be allowed in any workroom.

(c) Arrangements shall be made to prevent asbestos dust discharged from exhaust apparatus being drawn into the air or any workroom.

(5) All machinery used in preparing grinding of asbestos carding card, roller cleaning and grinding, and sack cleaning and all card waste-end machines, lattices, elevators, chutes and conveyers shall be so constructed and maintained that dust or debris containing asbestos cannot escape from any part thereof, other than dust removed by air exhaust draught provided in accordance with clause 3 of the Schedule.

(6) (a) Cleaning by hand of the cylinders (including the doffer cylinders) of a carding machine shall not be done whilst any person other than those performing or assisting at the cleaning is present.

(b) After six months from the date on which schedule comes into force such cleaning as aforesaid shall not be done by means of hand strickles or other hand tools.

Provided that the Inspector or the Chief Inspector may direct such other measures and precaution to be taken, as may be considered necessary for securing the health of the workers employed on processes and work specified in clause 4.

(5) (i) In every room in which any of the requirements of this schedule apply :—

(a) the floors, work benches and plant shall be kept in a clearly by state and free from asbestos debris and suitable arrangements shall be made for the storage of asbestos not immediately required for use.

(b) the floors shall be kept free from any materials, plant or other articles not immediately required for the work carried on in the room which would obstruct the proper cleaning of the floor; and

(2) Every room as aforesaid shall be adequately lighted.

6. (a) A sack which has contained asbestos shall not be cleaned by hand beating but by a machine, complying with clause 3 and sub-clause (5) of clause 4.

(b) All sacks used as containers for the purpose of transport of asbestos within the factory shall be constructed of impermeable material and shall be kept in good repairs.

7. (a) All ventilating plant used for the extracting or supresing dust as required by this schedule shall atleast once in every six months be thoroughly examined and tested by a competent person and any defect disclosed by such examination and test shall be rectified forthwith.

(b) A register containing particulars of such examination and test and the State of the plant and repairs or alternations (if any) found to be necessary shall be kept, and shall be available for inspection by an Inspector.

8. A breathing apparatus shall be provided for every person employed !—

(a) in chambers containing loose asbestos;

(b) in cleaning dust settling chambers or apparatus;

(c) in cleaning the cylinders, including the doffer cylinders, or other part of the carding machine by means of hand strickles;

(d) in filling, beating or levelling in the manufacture or repair of insulating mattresses;

9. There shall be provided and maintained for the use of all persons employed in the cleaning of dust settling and filtering chambers, tunnels and ducts, suitable overalls and head coverings.

10. No young person shall be employed in or in connection with the manufacture of insulating mattresses, in mixing or blending of asbestos by hand, in sack cleaning in chambers or apparatus for dust settling or filtering in chambers containing loose asbestos or in stripping or grinding the cylinders including the doffer-cylinders or other part of a carding machine.

11. *Medical Examination.*—(a) No worker shall be employed in any factory on any of the processes specified in clause 1, unless he has been medically and radiologically examined by the Certifying Surgeon, has been declared fit and has been granted a certificate of fitness in form No. 30.

(b) Every worker employed in any of the aforesaid processes on the date on which the schedule comes into force shall be medically and radiologically examined by the Certifying Surgeon within three months of the said date.

(c) Every worker employed on any of the aforesaid processes shall be medically and radiologically examined by the Certifying Surgeon at an interval of every six months after the first medical examination conducted under sub-clauses (a) and (b) and radiologically examined at an interval of 3 years after the first radiological examination conducted under sub-clauses (a) and (b).

(d) A worker already in employment and declared unfit by the certifying Surgeon shall not be allowed to work on any of the processes specified in clause 1, unless he has been examined again and has been certified to be cured and fit to work from the said process again.

(e) A worker declared to be unfit to work on any of the aforesaid processes, may be employed on such other work or processes as may be considered safe and advised by the Certifying Surgeon :

Provided that if the Certifying Surgeon declares that a worker has been completely incapacitated and he was not fit to be employed on any process, such worker shall not be allowed to continue to work on any work or process.

(f) The certifying Surgeon may direct that a worker be X-rayed or he may be subject to further examination by a special or to any other examination, clinical, pathological or otherwise or that he should undergo a specified treatment; and it shall be the responsibility of the employer (Occupier and the Manager), to arrange for the specified examination and or treatment and to bear all expenses thereof or in connection therewith.

(g) The certifying Surgeon shall after each examination grant certificate on Form No. 30.

(h) The Manager shall maintain all the certificates in a proper register or file and shall produce all the certificates before an Inspector whenever demanded.

(i) The Manager shall maintain the details of every medical examination in Form No. 19 and the register shall be produced before an Inspector whenever demanded.

SCHEDULE XVI

Manufacture of articles from Refractory Materials including manufacture of Refractory Bricks.

1. *Application*.—This schedule shall apply to the following processes ;—

(i) handling, moving, breaking, crushing, grinding or sieving of any refractory materials containing not less than 25 percent total silica for the purpose of manufacture—

(a) of articles used in the construction of furnaces and flues,

(b) of crucibles; and

(c) of composition or other materials used in the preparation of moulds in which metals are cast; or

(ii) any process in the manufacture of refractory brick as hereinafter defined.

Provided that nothing in this schedule shall apply:—

(a) to handling, moving, mixing or sieving of natural sand, or

(b) to the manipulation of rotten rock in the preparation of moulds used in metal foundries:

Provided further that if the Chief Inspector of Factories is satisfied in respect of any factory or part thereof that owing to the special conditions of work or otherwise, any of the requirements of this Schedule can be suspended or relaxed without any danger to the health of the persons employed therein, he may by an order in writing grant such suspension or relaxation for such period and on such conditions as he may think fit. Any such order may be revoked at any time.

2. *Definitions*.—(a) "Refractory material" means any refractory material and containing not less than 25 percent total silica.

(b) "Refractory brick" means any brick or articles composed of refractory material and containing not less than 25 percent total silica.

(c) "Efficient exhaust draught" means localised ventilation by mechanical means for the removal of dust so as to prevent dust from escaping into the air of any place in which work is on. No draught shall be deemed to be efficient which

fails to remove the dust produced at the point where such originates.

3. No refractory material shall be broked in pieces by mannual labour unless the process is carried out in the open air.

Provided that where it is not practicable to carry out this process in open air, the process shall be carried out under an efficient exhaust draught.

4. No refractory material, unless it is so wet that dust will not be produced, shall be crushed or ground in a stone crushing or a grinding machine unless such machine is provided with:—

(a) an efficient exhaust draught and efficient dust collecting appliances; or

(b) an efficient water or steam spray.

Provided that every grinding machine wherein any refractory material is ground in dry state, shall be totally enclosed and connected to a mechanical exhaust system so as to pervent effectively any escape of dust outside the casing of the machine by maintaining a pressure below the atmospheric pressure within the casing of the machine:

Provided further that all processes of crushing and grinding shall be effectively isolated from other processes.

5. All chutes, conveyors, elevators, screens, sieves and mixers used for manipulating refractory material shall, unless the material is so wet that dust will not be produced, be enclosed and be provided with an efficient exhaust draught.

6. No refractory material so dry as to produce dust shall:—

(a) be loaded into any wagon or other receptacle for transport unless it has been placed in a suitable dust proof container so damped as to preclude dust;

(b) be unloaded from any wagon or other receptacle for transport unless it has been so damped as to preclude dust or unless the work is done under an efficient exhaust draught;

(c) be shovelled or raked or otherwise manipulated by means of hand tools in any manufacturing process unless it has been so damped as to preclude dust or unless the work is done under an efficient exhaust draught :

Provided that paragraph (b) of this rule shall not apply to refractory material in the form of rock or pebles before it is manipulated in any manufacturing process.

7. (a) The floors of all places where refractory bricks are dried other than the floors of tunnel, ovens or chamber dries not normally entered by persons employed shall, after each lot of refractory bricks has been removed, be carefully cleaned of all debris and the part, being cleaned shall be kept damp while the cleaning is being done.

(b) There shall be provided in every such place a constant supply of water laid on under adequate pressure with sufficient connections and a flexible branch pipe and sprinkler to enable water to be supplied direct to every part of the floor.

8. No drying stoves in which refractory bricks are baked by fires before being placed in the kilns shall be used.

9. The surface of every floor or place where persons are liable to pass shall be cleaned of debris of refractory material once atleast during each daily period of employment or where shifts are worked, once during each shift. Such debris unless it is immediately required for use in the processes, shall be effectively damped and either be placed in covered receptacles, or be otherwise stored in such a manner as to prevent the escape of dust into the air in or near to any place where any person is employed.

10. Where plates are used, whether portable or forming part of the floor, on which refractory bricks are dried, such plates shall be freed from adherent material only by a wet method or by such other method as will prevent the escape of dust into the air.

11. The dust or powder of refractory materials shall not be used for sprinkling the moulds in refractory, brick making :

Provided that nothing in this paragraph shall be deemed to prevent the use of natural sand for the purpose of sprinkling the moulds.

12. No worker shall be allowed to work on any dusty process or at any place where dust of any refractory materials is present in the atmosphere :

Provided that in an emergency, a worker may be allowed to work at such process or place if he wears a suitable mask and breathing apparatus.

13. *Medical examination.*—(a) Every worker employed on any of the processes specified in sub-paragraphs (i) and (ii) of paragraph I shall be medically examined in such manner and at such intervals as may be specified by any rules made under the Workmen's Compensation Act, 1923 (Central Act VIII of 1923) or if no such rules have been framed under the said Act, every such worker shall be medically examined by the Certifying Surgeon before employment on any of the aforesaid processes and at an interval not exceeding six months thereafter.

(b) Subject to sub-paragraph (c), an X-ray examination of the chest of every worker referred to in sub-paragraph (c) shall be carried out—

(i) If he is already in employment on the date of coming into force of the sub-paragraph, within six months of

such date and at an interval of every three years thereafter;

- (ii) if he is employed after such date within one month of the date of his employment and at an interval of every three years thereafter;

and the result of every such X-ray examination shall be produced before the Certifying Surgeon within a month of the examination.

- (c) If the Certifying Surgeon, during the course of medical examination of any worker under sub paragraph (a) has reason to suspect or set of any chest disease, he may direct the manager or the occupier to get an X-ray examination of the worker done and to produce the X-ray plate before him.
- (d) The Certifying Surgeon shall grant to each worker examined a certificate specifying therein whether or not the worker was considered fit to be employed on any of the aforesaid processes.
- (e) The Manager shall maintain a register in which the findings and recommendations of the Certifying Surgeon in respect of every worker and in respect of every medical examination shall be maintained duly signed by the Certifying Surgeon.
- (f) A worker not declared fit shall not be employed on any of the aforesaid processes and he shall be employed on only such other process or he shall be subjected to such other examination or treatment as may be directed by the Certifying Surgeon.
- (g) No fees shall be charged from any worker for the medical examination and it shall be the responsibility of the occupier and the Manager to comply with the provisions of this Schedule.

14. In case any existing plant or machinery needs alteration, modification or replacement or in case any new plant is required to be installed, to comply with the requirements of this schedule. Such alteration, modification, replacement or installation of the plant or machinery shall be carried on within a period not exceeding one year from the date of publication of this rule:

Provided that the Chief Inspector of Factories in consideration of special and exceptional circumstances by an order in writing may extend this period for such reasonable length of time as he may think fit.

IV For Form No. 30, appended to the Rules the following Form shall be substituted, namely:—

Counterfoil Form No. 30 Serial Number.
(Prescribed under Rule 100)

Certificate of fitness for dangerous operations.

- | | |
|--|---|
| 1. Serial Number | 1. I certify that I have personally examined..... |
| 2. Name of person examined | (name) Son of..... |
| 3. Father's name. | (Father's name) Residing at..... |
| |(address) who is desirous of employed in (name of factory) as..... |
| 4. Sex. | (Department) (Process), and the as nearly as can be ascertained from my examination is fit/unfit for employment at the above noted factory. |
| 5. Address. | |
| 6. Name of the factory in which employed/in which wished to be employed. | 2. He is fit to be employed and may be employed on some other non hazardous Operation such as.... |
| 7. Process of department in which employed/ wished to be employed. | 3. He may be produced for further examination after a period of.... |
| 8. Whether certificate granted, | 4. He is advised following further examination |
| 9. Whether declared unfit and certificate refused. | 5. He is advised following treatment..... |
| 10. Reference number of previous certificate granted or refused. | 6. The serial number of the previous certificate is.... |
| L. T. I. of persons examined | L. T. I. of persons examination. |
|Signature |Signature |
| of Certifying Surgeon | of Certifying Surgeon. |

Note:—1. The counterfoil should be retained by the Certifying Surgeon and maintained in a file.

2. The para which does not apply may be cancelled.

[Pub. in Raj. Gaz. Ex 4 (Ga) -Dt. 20-3-69 Page-409]

Rajasthan Factories (Amendment) Rules, 1970

Notification G. S. R. 19, dated June 3, 1970.—In exercise of the powers conferred under sub-section (7) of section 38 read with section 112 of the Factories Act, 1948 (Central Act 63 of 1948), the State Government hereby makes the following rules further to amend the Rajasthan Factories Rules, 1951, the same having been previously published in the Rajasthan Rajpatra, Extraordinary, Part 3 (Kh), dated the 16th September, 1969, as required by section 115 of the said Act, namely:—

RULES

1. *Short Title.*—These rules may be called the Rajasthan Factories (Amendment) Rules, 1970:.

2. *Insertion of rule 64-A.*—After rule 64 of the Rajasthan Factories Rules, 1951, the following new rule shall be inserted, namely :—

“64-A. *Fire-Fighting Apparatus and Water Supply.*—(1) In every factory there shall be provided and maintained the following fire-fighting equipments :—

- (a) Two fire buckets of not less than 9 litres capacity for every 100 sq. meters of floor area subject to a minimum of four buckets on each floor.
- (b) Every bucket provided under this sub-rule shall :—
 - (i) conform to appropriate Indian Standards Specification;
 - (ii) be kept in a position approved by the Inspector and shall be used for no other purpose than fire extinguishing; and
 - (iii) at all times be kept full of water, but if the principal fire risk arises from inflammable liquid or other substances where water cannot be used, it shall be kept full of clean, fine dry sand, stone dust or other inert material,

Provided that where the Chief Inspector is of the opinion that other adequate fighting apparatus is provided in the factory building or room, he may issue a certificate in writing (which he may at his discretion revoke) specifying the extent to which the above requirements are relaxed in respect of that building or room.

(2) In every factory, adequate provision of water supply for fire-fighting shall be made and where the amount of water required in litres per minute, as calculated from the formula $A + B + C + D$ divided by 20 is 550 or more, power driven

trailer pumps of adequate capacity to meet the requirement of water as calculated above shall be provided and maintained.

In the above formula :—

A=the total area in sq. meters of all floors including galleries in all buildings of the factory;

B=the total area in sq. metres of all floors and galleries including open spaces in which combustible materials are handled or stored;

C=the total area in sq. meters of all floors over 15 meters above ground level; and

D=the total area in sq. meters of all floors of all buildings other than those of fire resisting construction ,

Provided that in areas where the fire risk involved does not require use of water, such areas under B, C or D may, for the purpose of calculation, be halved :

Provided further that where the areas under B, C or D are protected by permanent automatic fire-fighting installations approved by any fire association or fire insurance company, such areas may, for the purpose of calculation, be halved :

Provided also that where the factory is situated at not more than 3 K.M. from an established city or town fire-service, the pumping capacity based on the amount of water arrived at by the formula above may be reduced by 25% but no account shall be taken of this reduction in calculating water supply required under sub-rule(7).

(3) Each trailer pump shall be provided with equipment as per schedule annexed hereto. Such equipment shall conform to Indian Standards Specifications wherever they exist.

(4) Trailer pumps shall be housed in a separate shed/sheds which shall be sited close to a principal source or water supplies in the vicinity of the main risks of the factory.

(5) In factories where the area is such as cannot be reached by manhauling or trailer pumps within reasonable time, vehicles with towing attachment shall be provided at the scale of one for every four trailer pumps with a minimum of one such vehicle kept available at all times.

(6) Water supply shall be provided to give flow of water as required under sub-rule (2) for at least 100 minute. At least 50% of this water supply or 450000 litres whichever is less, shall be in the form of static tanks of adequate capacities (not less than 45000 litres each) distributed round the factory, with due regard to the potential fire risks in the factory. Where piped supply is provided, the size of the main shall not be less than 15 cm. diameter and it shall be capable of supplying minimum of 4500 litres per minute at a pressure of not less than 0.7 Kg. Sq. c.m.

(7) (a) In factories having more than 100 sq. meters floor area and where fire may occur due to combustible materials other than inflammable liquid and ignitable metals, soda acid or equivalent type of portable extinguishers at the rate out of one for every 500 sq. meters of area spaced at not more than 30 meters apart subject to a minimum of one extinguisher shall be provided in addition to fire buckets required under sub-rule (1).

(b) In factories where fires may occur due to inflammable liquids or grease or paint, the extinguishers to be provided at the scale laid down in clause (a) shall consist of foam carbon tetrachloride, dry powder, carbondioxide, chlorobromo methane or other equivalent type, as appropriate. In case of inflammable liquids soluble in water, the extinguishers shall be alcohol type foam.

(c) In factories where fires may occur due to electrical equipment the extinguisher to be provided at the scale laid in clause (a) shall consist of carbondioxide, dry powder, carbon tetrachloride or equivalent types.

(d) In factories where fires may occur due to magnesium aluminium or zinc dust or shaving of other ignitable metals, the use of liquids, carbondioxide and foam type extinguishers shall be prohibited and an ample supply of clean, fine dry sand, stone dust or other inert material shall be kept ready for segregating such fires.

(e) Every type of portable fire extinguisher shall be kept mounted in a position approved by the Inspector :

Provided that where the Chief Inspector is of the opinion that other adequate fire-fighting apparatus or permanent automatic fire-fighting installations approved by any recognised fire association or fire insurance company are provided in the factory building or room, he may issue a certificate in writing (which he may, at his discretion, revoke) specifying the extent to which the above requirements are relaxed in respect of that building or room.

"Note :—The minimum sizes of the various types of portable extinguishers shall be as under"—

Soda acid or foam	... 9 litres
Carbontetrachloride or chlorobromo methane	... 2 litres
Dry powder	... 5 Kgs.
Carbondioxide	... 4.5 Kgs.

(8) (a) Every portable fire extinguisher to be provided under sub-rule (7) shall.—

(i) conform to the appropriate Indian Standards Specification,

(ii) be kept charged ready for use, properly mounted in a position approved by the Inspector and accompanied by the maker's printed instructions for its use; and

(iii) be examined, tested or discharged periodically in accordance with the maker's recommendation.

(b) The Manager of every factory shall keep and maintain sufficient number of spare charges for each type of extinguisher provided in the factory with a minimum of 12 spare charges always in stock and readily available.

(9) Each factory shall detail a trained officer who shall be responsible for the proper maintenance and upkeep of all fire-fighting equipment.

(10) If the Chief Inspector is satisfied in respect of any factory part of the factory that owing to exceptional circumstances, such as inadequacy of water supply or for infrequency of the manufacturing process or for any other reason, to be recorded in writing, all or any of the requirements of the rules are impracticable or not necessary for the protection of workers, he may by order in writing (which he may at his discretion revoke) exempt such factory or part of that factory from all or any of the provisions of this rule subject to conditions as he may by such order prescribe.

SCHEDULE

Equipment for Trailer Pumps

(A) For light trailer pump (680 litres/min.)

1. 9 meters length of armoured suction hose with wrenches.

1 Metal Suction strainer.

1 Basket strainer.

1 Two-way suction collecting-head.

1 Suction adapter.

10 25 meters length of unlined 75 mm. delivery hose complete with quickrelease couplings.

1 Dividing Breeching-piece.

2 Branch-piece with 15 mm nozzles.

1 Diffuser Nozzle.

1 Standpipe with blank cap.

1 Hydrant key.

4 Collapsible canvas buckets.

1 Fire hook (preventor) with cutting edge.

1 C.T.C. Extinguisher one litre capacity.

1 30 meters length of 25 mm. manila rope.

1 9 meters extension ladder (where necessary).

1 Heavy axe.

1 Spade.

1 Pick-axe.

- 1 Crowbar.
- 1 Say.
- 1 Hurricane Lamp.
- 1 Electric Torch.
- 1 Fire Rubber Gloves.
- (B) For large trailer pump (1800 litres/min.)
- 1 9 meters length of armoured suction hose with wrenches.
- 1 Metal strainer.
- 1 Basket strainer.
- 1 Three-way suction collecting head Suction adaptor.
- 14 25 meters lengths of unlined canvas 75 mm. delivery hoses complete with quick/release couplings.
- 1 Dividing Breeching piece.
- 1 Collecting Breeching-piece.
- 4 Branch pipes with one 25 mm., with 20 mm. and one diffuser nozzle.
- 2 Standpipes with blank caps.
- 2 Hydrant keys.
- 6 Collapsible canvas buckets.
- 1 Ceiling hook (preventor) with cutting edge.
- 1 C.T.C. Extinguisher one Litre capacity.
- 1 30 meters length of 50 mm. manila rope.
- 1 9 meters extension ladder (where necessary).
- 1 Pair Rubber Gloves.
- 1 Heavy axe.
- 1 Spade.
- 1 Pick axe.
- 1 Crowbar.
- 1 Saw.
- 1 Hurricane Lamp.
- 1 Electric Torch.

Note.—If it appears to the Chief Inspector of Factories that in any factory the provision of breathing apparatus is necessary, he may be order in writing require the occupier to provide suitable breating apparatus in addition to the equipment for light trailer pump or larger trailer pump as the case may be.

[Pub. in Raj.rGaz. Ex. 4 (Ga)(1)—Dt. 3-6-70—Page 71]

RAJASTHAN WELFARE OFFICERS (RECRUITMENT & CONDITIONS OF SERVICE) AMENDMENT RULES, 1969.

LABOUR & EMPLOYMENT DEPARTMENT

Notification G.S.R. 61 dated November 3, 1969:—In exercise of the powers conferred by section 49, read with section 112, of the Factories Act, 1948 (Central Act 63 of 1948), the State Government hereby makes the following rules, further to amend the Rajasthan Welfare Officers (Recruitment and Conditions of Service) Rules, 1959, the draft of the same having been previously published in the Rajasthan Gazette, Extraordinary, Part 3 (Kh) dated the 14th may, 1959 as required by section 115 of the said Act, namely:—

1. *Short title.*—These rules may be called the Rajasthan Welfare Officers (Recruitment and Conditions of Service) Amendment Rules, 1969.

2. In the Rajasthan Welfare Officers (Recruitment and Conditions of Service) Rules, 1959,—

(i) in the proviso to rule 3, the word “Assistant” shall be deleted; and

(ii) for sub-rule (3) of rule 6, the following shall be substituted, namely:—

“(3) The Scale of pay of Welfare Officers including Dearness Allowances shall not be less than the scale given below.—

Scale No. 1.—For factories ordinarily employing 100 to 500 workers per day.—Rs. 375-25-500-30-850.

Scale No. 2.—For factories ordinarily employing 501 to 2000 workers per day.—Rs. 500-30-800-50-1000.

Scale No. 3.—For factories ordinarily employing more than 200 workers per day.—

(a) For Chief Welfare Officer.—Rs. 800-50-1300.

(b) For other Welfare Officers Rs. 375-25-500-300-850.

[Pub. in Raj. Gaz. Ex. 4(Ga)(I)—Dt. 3-11-69—Page 179]

FACTORIES ACT, 1948.

LABOUR & EMPLOYMENT DEPARTMENT

Notification S.O. 4, dated February 7, 1969.—In exercise of the powers conferred by section 5 of the Factories Act, (1948 Central Act 63 of 1948) and in view of public emergency to meet the defence requirements, the State Government hereby exempts all the Defence Factories and E. M. E. Workshops and other installations and factories concerned with production relating to defence requirements or essential supplies in the State of Rajasthan for a period up to 31st March, 1969 from the operation of the provisions of sections 51, 52, 54 and 56 of the said Act, subject to the conditions that the workers who may be deprived of the weekly holidays provided under section 52 of the Act, may be given, as far as possible, compensatory holidays, in lieu of all such weekly holidays, which may not be allowed to them.

[Pub. in Raj. Gaz. Ex. 4(Ga)-Dt. 7-2-69.—Page 1109]

LABOUR & EMPLOYMENT DEPARTMENT

Notification S. O. 200 dated December 17, 1969.—Whereas a public emergency has arisen owing to increased demand and prevailing shortage of metre gauge passenger (card) tickets of the Northern Railway, the State Government considers it expedient to exempt the Ticket Printing Press of the Northern Railway at Jodhpur from the provisions of sections 51, 52, 53, 54 and 56 of the Factories Act, 1948.

Now, therefore, in exercise of the powers conferred by section 5 of the Factories Act, 1948 (Central Act 63 of 1948) the State Government hereby exempts the Ticket Printing Press Northern Railway, Jodhpur, from the provision of sections 51, 52, 53, 54, and 56 of the said Act (or a period of three months from the 15th December 1969, to the 15th March, 1970,) subject to the following conditions, namely:—

(1) The workman who may be deprived of the weekly holiday: under section 52 of the said Act may be given, as far as possible compensatory holidays in lieu of such weekly holidays; and

(2) The leave under section 79 of the Act if refused due to the exigencies of service (except in the case of illness) shall be accumulated without any limit.

[Pub. in Raj. Gaz. Ex. 4 (Ga)(II)-Dt. 17-12-69-Page 339]

Notification S. O. 57 dated August 25, 1969.—Whereas the State Government is satisfied that the leave rules applicable to workers in the Small Industries Service Institute, Jaipur and the Small Industries Service Institute, Extension Centre, Jodhpur, provide benefits, which in the opinions of the State Government, are not less favourable than those provided for in Chapter VIII of the Factories Act, 1948 (Central Act 63 of 1948);

Now, therefore, in exercise of the powers conferred by section 84 of the Factories Act, 1948 (Central Act 63 of 1948), the State Government hereby exempts the said small Industries Service Institute, Jaipur and the Small Industries Service Institute, Extension Centre, Jodhpur, from the provisions of Chapter VIII of the said Act, subject to the condition that the present leave rules applicable to the workers in the said factories shall not be amended against the interests of the workers without the concurrence of the State Government.

[Pub. in Raj. Gaz. Ex. 4 (Ga)(II)—Dt. 2-10-69—Page 96]

Notifications under.

RAJ. FACTORIES RULES, 1951.

LABOUR & EMPLOYMENT DEPARTMENT

Notification S.O. 21, dated May 14, 1969.—Whereas, in the opinion of the State Government, compliance with the requirements of the provisions contained in sub-rule (5) of rule 57-A of the Rajasthan Factories Rules, 1951, is impracticable in respect of the Western Track of the Overhead—Travelling Crane along the Cylatory Crusher, the Mill House and the Power House of the Cement Factory of M/s. Jaipur Udyog Limited at Sawai Madhopur.

Now, therefore, in exercise of the powers conferred by sub-rule (10) of rule 57-A of the Rajasthan Factories Rules, 1951, the State Government hereby exempts a total length of 475 ft. of the crane track of the aforesaid overhead Travelling Crane—that is, 40 ft. of the track along the Mill-House and 85 ft. of track along the Power House of the Cement Factory of M/s. Jaipur Udyog Limited at Sawai Madhopur, from the operation of the provisions of sub-rule (5) of the said rule, subject to the following conditions, namely:—

(1) That suitable stair-cases shall be provided at various places for workers to go on the track from the ground so that for approaching any part of the track a worker is not required to cross the exempted portions unless he is required to go in the exempted portion itself.

(2) If any worker is required to work or go upon the aforesaid exempted portions of the crane track, effective measures shall be taken by providing electric limit switches, so that the crane does not come within 20 ft. of the extreme ends of the exempted portions.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 22-5-69-Page 21]

LABOUR & EMPLOYMENT DEPARTMENT

Notification S.O. 56, dated August 25, 1969.—Whereas in the opinion of the State Government compliance with the provisions contained in sub-rule (5) of rule 57 A of the Rajasthan Factories Rules, 1951, is impracticable in respect of the over-head travelling cranes of M/s Man Industrial Corporation Limited, Jaipur. which were installed in their Transmission line unit and the main unit before the commencement of the said rule.

Now, therefore, in exercise of the powers conferred by sub-rule (10) of rule 57 A of the Rajasthan Factories Rules, 1951, the State Government hereby exempts the said over-head travelling cranes installed in the Transmission line unit and, Main unit of M/s. Man Industrial Corporation Limited, Jaipur

from complying with the requirements of the provisions of sub-rule () of rule 57A of the said rules subject to the following conditions, namely:—

1. That no worker or person other than the crane-driver, shall be allowed to go on the crane-track as long as crane electric supply line is alive. The electric disconnections shall be such as to ensure that connections will not be connected as long as persons other than the crane-driver are on the crane-track or on the crane itself for repairs or otherwise.

2. That the approach to the crane-track shall be so fenced that no persons, other than those authorised by the departmental foreman, can go on the crane-track.

[Pub. in Raj. Gaz. 4(Ga)-(II)—Dt. 2-10-69—Page 96]

LABOUR & EMPLOYMENT DEPARTMENT

Notification S. O. 54, dated June 9, 1970.—Whereas in the opinion of the State Government, compliance with the requirements of the provisions contained in sub-rule (5) of Rule 57-A of the Rajasthan Factories Rules, 1951, is impracticable in respect of the over-head travelling cranes installed in the factory of Messrs. Machine Tools Corporation of India, Limited at Ajmer, due to the construction work having already been completed.

Now, therefore, in exercise of the powers conferred by sub-rule (10) of Rule 57-A of the Rajasthan Factories Rules, 1951, the State Government hereby exempts M/s. Machine Tools Corporation of India Limited, Ajmer, from complying with the requirements of the provisions of sub-rule (5) of Rule 57-A of the said rules in respect of the said over-head travelling cranes installed therein, subject to the following conditions, namely:—

1. That no worker or person other than the crane driver shall be allowed to go on the crane-track, as long as crane electric supply line is alive. The electric disconnections shall be such as to ensure that connections will not be connected as long as person other than the crane-driver are on the crane-track or on the crane itself for repairs or otherwise.

2. That the approach to the crane-track shall be so fenced that no persons other than those authorised by the departmental foreman can go on the crane-track.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 9.6.70 Page 117]

Notification under

Rajasthan Industrial Estate (Allotment of Sheds) Rules, 1959

FINANCE DEPARTMENT

(Excise Section)

CORRIGENDA

Notification No F. 1(62) FD/Ex/67/3013, dated 19-9-67—Published in Rajasthan Gazette (Extraordinary), dated 29-9-67).

1. Page 555, rule 13 (i), line 2, =
for "R. Pn. 1" read "R. Pn. 3"

Notification No. F. 1 (37) FD/Ex/67/3810, dated 18-12-1967 published in Rajasthan Gazette (Extraordinary), dated 18-12-67).

- (i) Page 770 line 5 under heading "compounding of offence", for "77 B" read "77-D".
- (ii) Page 771, line 10, under heading "अपराधों को क्षमन" for "77-ख" read "77-घ".

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 23-1-69—Page 373]

INDUSTRIES (A) DEPARTMENT

CORRIGENDUM

S. O. 54, dated June 12, 1969 —Kindly read the words "Secretary Industries"/Deputy Secretary Industries" in place of the words Secretary Industries" occurring at Serial No. 2 below the heading 'Board' against Item No (4) in this Department Notification No. D-2604/F. 3 (13) Ind. (A) 59 dated 9-6-60 issued in respect of the Rajasthan Industrial Estate (Allotment of Sheds) Rules, 1959.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 14-8-69—Page 92]

CORRIGENDUM

In Government Finance Department (Commercial Taxes Section)

Notification No. F. 5 (24) FD/CT/69-17, dated the 1st April, 1969,—Published at page 12 in the Rajasthan Gazette Extraordinary, Part IV-C, dated the 1st April, 69 in the Schedule thereto :—

1. In entry at S. No. 15, 'Rahadi' may be read as 'Pahadi'.
2. In entry at serial No. 41 under the Column No. 4, words 'Live-Stock' may be read in place of "—do—".
3. In entry at S. No. 45, words 'Stone, Gitti, etc' may be read as inserted, in place of S. No. 44.
4. In entry at S. No. 46, 'Kashathana' may be read as 'Kasbathana'.
5. In entry at S. No. 49, words 'Live-Stock' may be read as inserted in the fourth column.

In the said Department Notification No. F. (17) FD/CT/69-2/dt. the 1st April, 1969 published in the Rajasthan Gazette, extraordinary, Part IV-C, dated the 1st April, 1969, in the sixth line, words 'Sale of' may be read as inserted between words 'in respect of' and 'oil cakes'.

[Pub. in Raj. Gaz. 4 (Ga) (ii)-Dt. 10-4-69-Page 4]

INDUSTRIES (A) DEPARTMENT

CORRIGENDUM

No. F. 9 (II) Ind. (A) 67, dated October 27, 1969.—The word "consideration" may be read between the words "into" and "on or after" mentioned in the ninth line of this department Notification No. F. 9 (11) Ind. (A) 67, dated 1st September, 1969 published in the Extraordinary Rajpatra dated 8th September, 1969.

[Pub. in Raj. Gaz. Ex. 3 (Ka)-Dt. 27-10-69]

LABOUR & EMPLOYMENT DEPARTMENT

CORRIGENDUM

G. S. R. 59, dated August 14, 1969.—In this Department Notification No. F. 1 (11) (19) L&E/68, dated the 23rd June, 1969 published in Rajasthan Gazette, Part IV (C), dated the 10th July, 1969 please read "(2)" in place of "(b)" in the last line of the notification.

[Pub. in Raj. Gaz. 4 (Ga) (I)-Dt. 30-10-69-Page 170]

CORRIGENDA

Notification G. S. R. 81, dated October 23 1969.—Notification No. F. 1 (5) FD/EX/68-69 dated 17-9-69 published in Rajasthan Gazette, dated 25-9-69.

1. Page 131, rule 6 (a), in the second line of the rule for "75 paisa" read "85 paise".

[Pub. in Raj. Gaz. 4 (Ga)-Dt. 11-12-69-Page 199]

LABOUR & EMPLOYMENT DEPARTMENT

Corrigendum G. S. R. (66), dated November 13, 1969.—In this Department Notification of even number dated the 3rd November, 1969, published in the Rajasthan Rajpatra, Extraordinary, Part IV (C), G. S. R. 61, dated the 3rd November, 1969, in sub-rule (3) of Rule 6, prescribing scales of pay of Welfare Officers, in scale No. 1, for the figures "100 to 500" occurring after the word "employing" and before word "workers", the figures "500 to 1000" shall be substituted.

In scale No. 2, for the figures "501 to 2000" occurring after the word "employing" and before the figures "1001 to 2000" shall be substituted.

In scale No. 3, for the figure "200" occurring after the word "than" and before the word "workers", the figure "2000" shall be substituted.

[Pub. in Raj Gaz Ex. 4 (Ga) (I)-Dt. 13-11-69]

INDUSTRIES (A) DEPARTMENT
CORRIGENDUM

G. S. R. 76, dated December 19, 1969.--This department Notification of even No. dated 21-11-69, published in Rajasthan Gazette, Extraordinary dated 21-11-69, may be read with the following modifications:--

1. In Item 1, the expression "23 (b)" be read as "23".
2. In Item II, the expression "proviso (4)" wherever appearing shall be read as "proviso (5)".

]Pub. in Raj. Gaz. Ex. 4 (Ga) (I)-Dt. 19-12-69[

Rules and Notifications under

HABITUAL OFFENDERS' ACT, 1953. THE RAJASTHAN
(9 OF 1953).

RAJASTHAN HABITUAL OFFENDERS RULES, 1955

HOME (B-I) DEPARTMENT

Notification No. F. 3 (I) HB/Gr.II/65, dated May 3, 1968.—

In exercise of the powers conferred by section 8 of the Rajasthan Habitual Offenders Act, 1953 (Rajasthan Act No. 9 of 1953), the State Government hereby makes the following amendments in the Rajasthan Habitual Offenders Rules, 1955, namely :—

CORRIGENDUM

*No. F. 3 (I)/HB/Gr. II/65.—*In the amendments to the Rajasthan Habitual Offenders Rules, 1955, published with the notification of the Home B. Gr. II Deptt., No. F. 15 (I) HB/Gr. II/61 dated the 5th January, 1962 at pages 628 to 631 of the Rajasthan Gazette Part IV (C), dated the 1st March, 1962, in paragraph 10 of the amendments (at page 530 line II), for “substituted” read “added”.

[Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 23-5-68 Page 65]

Rules and Notifications under

HIGH COURT ORDINANCE, 1949. THE RAJASTHAN
(15 OF 1949).

RAJ. HIGH COURT RULES, 1952

RAJASTHAN HIGH COURT, JODHPUR

Notification S. O. 3, dated February 1, 1969.—In exercise of the powers conferred by section 46 of the Rajasthan High Court Ordinance, 1969, read with Article 225 of the Constitution of India all other power enabling it in this behalf, the High Court of Judicature for Rajasthan hereby makes the following amendments in the Rajasthan High Court Rules, 1952,—

Part I—Chapter V—Jurisdiction of Judges sitting alone or in Division Courts.

1. In clause (ii) of Rule 55, for the words “exceeds ten thousand rupees” occurring after the word “valuation”, the words “is twenty thousand rupees or above” shall be substituted.

2. The two provisos to clause (ii) of Rule 55 shall be omitted.

3. In clause (iii) of Rule 55, for the words “does not exceed ten” the words “is below twenty” shall be substituted.

4. For clause (xiii) of Rule 55, the following new clause shall be substituted:—

“(xiii) An application under Article 226 or 227 of the Constitution except—

(a) an application challenging a judgement or order of the Board of Revenue; and

(b) an application challenging the imposition, levy or collection of any tax or penalty imposed or levied under the provisions of any Central law or under the provisions of the Rajasthan Sales Tax Act and the rules framed thereunder.”

[Pub. in Raj. Gz. Ex. 4(Ga) (II)-Dt. 5-2-69 Page 1107]

Notification G. S. R. 113, dated January 21, 1970.—The following amendments are made in the Rajasthan High Court Rules, 1952,—

Part V—Chapter XXIII

Appeals to Supreme Court of India

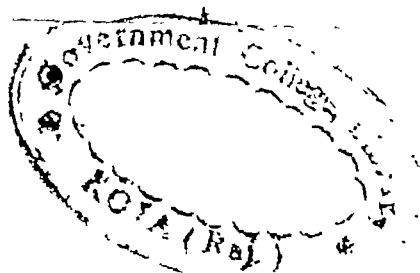
Section B—Criminal cases

“In sub-rule (a) of Rule 413 for the word “seven” occurring between the words “within” and “days”, the word “sixty” shall be substituted.”

[Pub. in Raj. Gz. Ex. (Ga)(I)—Dt. 12-2-70—Page 253]

Rules and Notifications under

HOUSING BOARD ORDINANCE, 1970. THE RAJASTHAN (ORDI-
NANCE No. 3 OF 1970).



RAJ. HOUSING BOARD ORDINANCE, 1970

TOWN PLANNING DEPARTMENT

Notification No. F. 9 (1) TP/68, dated February 24, 1970—

In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Housing Board Ordinance, 1970 (Ordinance 3 of 1970) the State Government hereby appoints 24th day of February, 1970 as the date on which the said Ordinance shall come into force and further directs that the Ordinance shall come into force in the whole of the State of Rajasthan.

[Pub. in Raj. Gaz. Ex. 6 (ka)--Dt.24-2-70-Page 89]

Notification No. F. 9 (1) TP/68. dated February 24, 1970.—

In exercise of the powers conferred by sub-section 1) of section 4 of the Rajasthan Housing Board Ordinance, 1970 (Ordinance 3 of 1970) the State Government hereby establishes the Rajasthan Housing Board with immediate effect.

[Pub. in Raj Gaz. Ex. 6 (ka) -Dt. 24-2-70-Page 90]

*Notification No. F. 9 (1) TP/68, dated February 24, 1970.—*In exercise of the powers conferred by sub-section (1) of section 5 of the Rajasthan Housing Board Ordinance, 1970 (Ordinance 3 of 1970), the State Government hereby constitutes with immediate effect, the Rajasthan Housing Board and appoints thereto the following, namely :--

1. Shri Dwarka Das Purohit Chairman
2. Financial Commissioner, Government of Rajasthan
....Ex-Officio Member
3. Secretary to Government, Town
Planning Department Ex-Officio Member
4. Chief Town Planner & Architectural
Adviser to the Government Ex-Officio Member
5. Housing Commissioner of the Board
(As and when appointed)Ex-Officio Member
6. Chairman of the Rajasthan Cooper-
ative Finance Society (As and when
appointed or elected)Member
7. Shri K. L. JainMember
8. Shri Roop Narain ShahMember
9. Shri Hanuman Prabhakar SharmaMember

[Pub. in Raj. Gaz. Ex. 6 (ka) -Dt. 24-2-70 Page 90]

Rules and Notifications under
INDUSTRIAL DISPUTES ACT, 1947.
(CENTRAL ACT 14 OF 1947).

Notifications under

INDUSTRIAL DISPUTES ACT, 1947

LABOUR & EMPLOYMENT DEPARTMENT

Notification No. F. 3(8)/Lab/64, dated December 23, 1968.—

In exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the State Government, on being satisfied that public interest so require, hereby declares the service in the following Industries in the State to be public utility service, for the purposes of the said Act, for a period of six months from the date of publication of this notification in the official Gazette, namely:—

1. Transport (other than Railways) for the carriage of passengers or goods by road.
2. Fire brigade.
3. Manufacture, marketing and distribution of petroleum products.
4. All the hospitals and dispensaries.

[Pub. in Raj. Gaz. Ex. 4 (Ga) -Dt. 23-12-68.—Page 669]

*Notification S.O. 48, dated March 19, 1969.—*In exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, (Central Act 14 of 1947), the State Government on being satisfied that public interest so requires hereby declares the Zinc Smelter Plant at Debari (Udaipur) of the Hindustan Zinc Limited, Udaipur to be a Public Utility Service for the purposes of the said Act for a period of six months with effect from the date of publication of this notification in the official Gazette.

[Pub. in Raj. Gaz. Ex. 4 (Ga)(II)-Dt. 19-3-69 Page 1190]

LABOUR AND EMPLOYMENT DEPARTMENT

*Notification S. O. 59, dated June 23, 1969.—*In exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the State Government, on being satisfied that public interest so require, hereby declares the service in the following Industries in the State to be public utility service, for the purposes of the said Act, for a period of six months with effect from 23rd June, 1969, namely:—

1. Transport (other than Railways) for the Carriage of passengers or goods by road.
2. Fire brigade.
3. Manufacture, marketing and distribution of petroleum products.
4. All the hospitals and dispensaries.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)-Dt. 23-6-69—Page 69]

Notifications under

Industrial Disputes Act, 1947.

Labour & Employment Department

Notification S. O. 136, dated September 19, 1969.—In exercise of the power conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947); the State Government on being satisfied that public interest so requires hereby declares the Zinc Smelter Plant at Debari (Udaipur) of the Hindustan Zinc Limited, Udaipur to be a Public Utility Service for the purposes of the said Act, for a further period of six months with effect from 19th September, 1969.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II) Dt. 20-9-69]

Relief Department

Notification S. O. 144, dated September 26, 1969.—Whereas the State Government is satisfied that public interest requires that the industry relating to manufacture and delivery of Oxygen gas specified in the First Schedule requires to be declared to be a public utility service for the purposes of the Industrial Disputes Act, 1947, (Central Act 14 of 1947),

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the State Government hereby declares that the industry relating to Manufacture and delivery of oxygen gas to be a public utility service for the purposes of the Act for a period of six months commencing from the date of publication of this notification in the official Gazette.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II) Dt. 26-9-69 Page 242]

Notification S. O. 143, dated September 26, 1969.—Whereas the State Government is of the opinion that it is necessary in the public interest to add to the First Schedule to the Industrial Disputes Act, 1947, (Central Act 14 of 1947), the Industry relating to manufacture and delivery of Oxygen gas.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 40 the Industrial Disputes Act, 1947) (Central Act 14 of 1947), the State Government hereby adds, after item No. 17, the following item to the First Schedule to the said Act; namely :—

“18 Manufacture and delivery of Oxygen gas.”

[Pub. in Raj. Gaz. Ex 4 (Ga) (II) Dt. 26-9-69 Page 242]

Labour and Employment Department

Notification S. O. 227 dated January 3, 1970.—In exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) the State Government, on being satisfied that public interest so require, hereby declares the service in the following industries in the State to be public utility service, for the purposes of the said Act, for a period of six months from the date of publication of this notification in the Official Gazette, namely :—

1. Transport (other than Railways), for the carriage of passengers or goods by road.
2. Fire brigade.
3. Manufacture, marketing and distribution of petroleum products.
4. All the hospitals and dispensaries.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 3-1-70--Page 401]

Labour & Employment Department

Notification S. O. 309, dated March 21, 1970.—In exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the State Government on being satisfied that public interest so requires hereby declares the Zinc Smelter Plant at Debari (Udaipur) of the Hindustan Zinc Limited, Udaipur to be a Public Utility service for the purposes of the said Act for a further period of six months with effect from the date of publication of this notification in the official Gazette.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II) Dt. 21-3-70.]

Labour & Employment Department

Notification S.O. 5, dated April 6, 1970.—Whereas the State Government is satisfied that public interest requires that the industry relating to manufacture and delivery of Oxygen gas specified in the First Schedule requires to be declared to be a public utility service for the purposes of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the State Government hereby declares that the industry relating to manufacture and delivery of Oxygen gas to be a public utility service for the purposes of the Act for a further period of six months commencing from the date of publication of this notification in the official Gazette.

Notification G. S. R. 79, dated December 24, 1969.—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the State Government hereby makes the following amendments in this Department Notification of even number dated the 25th May, 1967, published at pages 150 to 152, Part IV-C of the Rajasthan Gazette, Extraordinary, dated the 26th May, 1967, namely:—

Amendments

In the table appended to the said Notification.—

(1) in column 3 against Serial No. 13, for the expression "For Jaipur City". the expression "For Jaipur District including Jaipur City" shall be substituted, and

(2) the entries at Serial No. 14 shall be deleted.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (I) Dt. 24-12-69—Page 254]

Labour and Employment Department

Notification No. F. 1 (1) (210) Lab/68, dated May 9, 1968.—

In exercise of the powers conferred by sub-section (2) of section 33B of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the State Government hereby authorise the Industrial Tribunal, Rajasthan, Jaipur to transfer any proceeding under section 33 or section 33A of the said Act pending before it to the Labour Court, Rajasthan, Jaipur for the disposal of such proceeding.

[Pub. in Raj Gaz. Ex. 4(Ga)Dt. 9-5-68 Page 121]

Rules and Notifications under

INDUSTRIAL DISPUTES (RAJASTHAN AMENDMENT)
ORDINANCE, 1969.

Industrial Disputes (Rajasthan Amendment) Ordinance, 1969.

Order S.O. 209, dated December 24, 1969:—Whereas the Wage Board for Engineering Industries appointed by the Central Government to consider revision of wage structure in the industry has submitted its report;

And whereas some of the employers in the Engineering Industries in the State have not implemented the recommendations submitted by the Chairman and independent members and of the said Wage Board as accepted by the State Government and have not given necessary relief to their employees in consonance with these recommendations which has led to give dis-satisfaction and strikes in some of the units thereof threatening peace and prosperity in the industry;

And whereas in the opinion of the State Government, it is necessary and expedient for the maintenance of public order or supplies and services essential to the life of the community, maintaining employment and for maintaining industrial peace in the State to make provision requiring the employers in the said industry to observe for a period specified hereinafter, certain minimum rates of wages and other terms and conditions of employment.

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 10K of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) as amended by Industrial Disputes (Rajasthan Amendment) Ordinance, 1969, in its application to the State of Rajasthan, the State Government hereby makes the following Order:—

ORDER

(1) This Order shall cover the following groups of Engineering Industries in the State :—

Groups	Comprising of units employing		
A	50	to	250 workers.
B	251	to	500 workers.
C	501	to	1500 workers.

2. Categories of Workers.—The categories of workers covered by this Order are enumerated below :—

(i) All workmen as defined in section 2 (S) of the Industrial Disputes Act, 1947, except in so far as the personnel employed in a supervisory capacity are concerned, the limit of wages drawn for exemption would be exceeding Rs. 500/- as basic wages per month and not Rs. 500/- as total wages as at present under section 2 (s) (vi) of the Industrial Disputes Act, 1947;

(ii) Labour employed by or through contractors; and

(iii) Staff employed in head offices, liaison offices and registered office etc. of the engineering companies.

The apprentices and learners will not be covered by this Order.

3. Classification of workmen and wages payable.—The classification of workmen and their wages payable at the minimum level under this Order will be as follows:—

Categories of Workers	GROUP A			GROUP B			GROUP C		
	Basic Wages	D.A.	Total	Basic Wages	D.A.	Total	Basic Wages	D.A.	Total
Un-skilled	68.25	35.00	103.25	72.15	37.00	109.15	78.00	44.00	118.00
Semi-skilled (A)	78.00	40.00	118.00	83.20	42.67	125.87	89.70	46.00	135.70
Semi-skilled (B)	84.50	43.33	127.83	91.00	46.67	137.67	97.50	50.00	147.50
Skilled (A)	97.50	50.00	147.50	104.33	53.50	157.83	113.43	58.17	171.60
Skilled (B)	107.25	55.00	162.25	114.40	58.67	173.07	124.80	64.00	188.80
Skilled (C)	133.25	68.35	201.58	143.00	73.33	216.33	156.00	80.00	236.00
Skilled (D)	163.75	85.00	250.75	180.38	92.50	272.88	195.00	100.00	295.00
Skilled (E)	191.75	98.33	290.08	204.75	105.00	309.75	224.25	115.00	339.25
Skilled (F)	227.50	116.67	344.17	227.50	116.67	344.17	260.00	133.33	393.33
Subordinate Staff :—									
Peons, Chaprasis, Watchmen, Chowkidars, Sweepers, Bearers in the Canteen, Cleaners etc.	68.25	35.00	103.25	72.15	37.00	109.15	78.00	40.00	118.00
Jamadar, Head Peons, Daftry, Head Water men	75.25	35.00	110.25	79.15	37.00	116.15	85.00	40.00	125.00
Canteen Manager and Supervisor	—	—	—	97.50	50.00	147.50	113.75	58.33	172.08
Clerks in Canteen & Guest Houses	—	—	—	91.00	46.67	137.67	101.80	50.57	152.47
Drivers of Car & Jeeps	91.00	45.67	137.67	91.00	46.67	137.67	97.50	50.00	147.50
Drivers of other Trucks	97.50	50.00	147.50	97.50	50.00	147.50	113.75	58.33	172.08
Grade I Clerk	91.00	46.67	137.67	91.00	46.67	137.67	97.67	50.00	147.50
Grade II Clerks	97.00	50.00	147.50	97.50	50.00	147.50	113.75	58.33	172.08
Grade III Clerks	—	—	—	—	—	—	130.00	66.67	196.67

4: This Order shall remain in force for a period of one year from the date of its publication in the Official Gazette.

5. General Provisions.—(1) If it is found that any worker does not get an additional amount of at least Rs. 10/- in his monthly emoluments upon adoption of the aforesaid wage structure, he will be put in the next higher stage in the scale of pay in such a way that he gets not less than Rs. 10/- as increase in his present total monthly emoluments.

(2) The workers will get annual increments in the normal course in addition to the increase in wages that they may get under this Order.

(3) This Order will not apply in the case of those units of the Engineering Industry where the employers and the workmen have entered into an agreement in respect of interim ad hoc/final increase wages with regard to the recommendations of the aforesaid Central wage Board for the engineering Industries.

[Pub. in Raj, Gaz. Ex. 4 (Ga) (II)—Dt. 24.12.69-Page 359.]

Rules and Notifications under

INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT
(CENTRAL ACT No. 20 OF 1946).

Industrial Employment (Standing Orders) Act, 1946.

Labour & Employment Department

Notification No. F. 1 (11) (25) L & E/66, dated, February 27, 1968.—In exercise of the powers conferred by section 14 of the Industrial Employment (Standing Orders) Act, 1946 (Central Act XX of 1946), the State Government hereby exempts Rajasthan State Electricity Board from the operation of the provisions of the said Act.

[Pub. in. Raj. Gaz. Ex. 4 (Ga)—Dt. 27.2.68.]

Rajasthan Industrial Employment (Standing Orders) Amendment Rules, 1968.

Labour & Employment Department

Notification No- F. 3 (90) L & E/64/, dated June 13, 1968.—

In exercise of the powers conferred by section 15 of the Industrial Employment (Standing Orders) Act, 1946 (Central Act XX of 1946), the State Government hereby makes the following rules further to amend the Rajasthan Industrial Employment (Standing Orders) Rules, 1963, the same having been previously published in the Official Gazette as required by sub-section (1) of the said section, namely :—

1. *Short title.*—These rules may be called the Rajasthan Industrial Employment (Standing Orders) Amendment Rules, 1968.

2. In the Rajasthan Industrial Employment (Standing Orders) Rules, 1963.—

(i) in rule 4, the figur 'l' appearing after the word "Schedule" shall be deleted; and

(ii) in rule 5, for the expression "I to these rules", the expression "to the Act" shall be substituted.

[Pub. in Raj. Gaz. Ex. 4 (Ga)--Dt. 22-6-68 Page 101]

Rules and Notifications under

IRRIGATION AND DRAINAGE ACT, 1954. THE
RAJASTHAN (21 OF 1954).

Rajasthan Irrigation and Drainage Rules, 1955

Irrigation Department

Notification G. S. R. 9, dated March 10, 1970.—In exercise of the powers conferred by Clauses (d) and (e) of sub-section (I) of section 60 read with section 36 of the Rajasthan Irrigation and Drainage Act, 1954 (Act No. XXI of 1954), the Government of Rajasthan hereby makes the following amendment in schedule II to the Rajasthan Irrigation and Drainage Rules, 1955 as substituted by this Department Notification No. F. 13 (6) Irg./66, dated 23-1-1967, namely :—

Amendment

- Existing Part II, III, IIIA and IV of the Schedule shall be substituted as under:—

Rates per acre per crop in Gang Canal, Bhakra Project, Ghaggar Canal, Rajasthan Canal area, Chambal and all works constructed after 1st January 1952, and all works in the area of former States of Banswara, Dungarpur and Partapgarh.

S. N.	Name of Crop	Rates on Gang Canal Bhakra, Ghaggar Canal and Rajasthan Canal (Irrigation under peren- nial channels) per acre.	Rates in Chambal Canal area and all works constructed after 1st January, 1952 and all works in the area of for- mer States of Ban- swara, Dungarpur and Partapgarh per acre.
1	2	3	4
1.	Sugarcane	Rs. 22.00	Rs. 27.00
2.	Rice	Rs. 10.00	Rs. 10.00
3.	Cotton	Rs. 13.00	Rs. 13.00
4.	Garden	Rs. 34.00 per year.	Rs. 34.00 per year
5.	Maize	Rs. 7.00	Rs. 7.00
6.	Jawar	Rs. 6.00	Rs. 7.00
7.	Bajra	Rs. 7.00	Rs. 7.00
8.	Pulses	Rs. 12.00	Rs. 12.00
9.	Simmhemp and Grass	Rs. 6.00	Rs. 12.00
10.	Gowar	Rs. 6.00	Rs. 12.00
11.	Vegetable	Rs. 14.00	Rs. 14.00
12.	Spices, Drugs and all other Kharif Crops not other-wise	Rs. 12.00	Rs. 12.00

Industrial Employment (Standing Orders) Act, 1946.

Labour & Employment Department

Notification No. F. 1 (11) (25) L & E/66, dated, February 27, 1968.—In exercise of the powers conferred by section 14 of the Industrial Employment (Standing Orders) Act, 1946 (Central Act XX of 1946), the State Government hereby exempts Rajasthan State Electricity Board from the operation of the provisions of the said Act.

[Pub. in. Raj. Gaz. Ex. 4 (Ga)—Dt. 27.2.68.]

Rules and Notifications under

**KHADI AND VILLAGE INDUSTRIES BOARDS
ACT, 1955 RAJASTHAN (5 OF 1955)**

Rajasthan Khadi and Village Industries Board Provident Fund Rules, 1959.

INDUSTRIES (A) DEPARTMENT

Notification No. 25 (11) Ind (A) 62, dated October 27, 1967.-

In exercise of the powers conferred by section 37 of the Rajasthan Khadi and village Industries Board Act, 1955 (Rajasthan Act 5 of 1955), the State Government hereby makes the following amendments to the Rajasthan Khadi and Village Industries Board Provident Fund Rules, 1959 published in the Rajasthan Rajpatra Part IV-C, dated 3-3-1960, namely :—

AMENDMENTS

In the said rules :—

1. In rule 3, between the words "employee of the Board" and "except the following" the words "who has completed one year's continuous service" shall be inserted.

2. In clause (e) of rule 5, the word "substantive" shall be deleted.

3. In the existing clause (a) of rule 8, the full stop at the end shall be deleted and the following words shall be added.—

"till 30.6.67 and with effect from 1.7.67 the rate of contribution shall be 8 per cent."

4. In the fifth line of rule 9, after words "subscribed to the fund" the full stop shall be deleted and the words "till 30.6.67 and the rate of contribution to this account shall be 8 per cent with effect from 1.7.67" shall be added.

5. For sub-rule (1) of rule 11, the following shall be substituted:—

"(1) The Secretary shall pay to the credit of the account of the subscriber interest at such rate as may be determined for each year by the Government in consultation with the Board according to the method of calculation prescribed from time to time by the Government."

[Pub. in Raj. Gaz. Ex. 4(Ga) -Dt.28-10-67-Page 665]

Rules and Notifications under
LAND ACQUISITION ACT, 1953. THE RAJASTHAN
(24 OF 1953).

Rajasthan Land Acquisition Rules, 1956.

REVENUE (B) DEPARTMENT

Notification No. F. 1 (18) Rev./B/66, dated June 6, 1968.—

In exercise of the powers conferred by section 55 of the Rajasthan Land Acquisition Act, 1953 (Rajasthan Act No. XXIV of 1953), the State Government hereby makes the following amendments to, the Rajasthan Land Acquisition Rules, 1956, the same having been previously published as required by sub-section (2) of the said section, namely :—

AMENDMENTS

In the said rules—

1. The following shall be substituted for Part B of the rules, namely —

"PART B"

Rule dealing with the issue and publication of Order under section 4 of the Act.

3. *Order under section 4 (1).*—An order under sub-section (1) of section 4 shall be in form 1.

3A. *Notice under clause (i) of sub-section (5) of section 4.*—A notice under clause (i) of sub-section (5) of section 4 shall be in Form IA.

2. In Rules 7, for the expression "a notification cancelling the notification issued under section 4 shall be published by them", the expression "It shall issue a public notice cancelling the order issued under section 4" shall be substituted.

3. Rule 10 shall be omitted.

4. In Rule 11, for the words "Under section 8 the" the word "The" shall be substituted,

5. In rule 12 for the expression "Under section 8" the expression "under rule 11" shall be substituted.

6. In sub-rule (2) of rule 16, for the expression "If a holding, or field is jointly owned or is mortgaged or held by occupancy, tenants, or," the expression "If a holding or field is jointly held or is mortgaged or held by" shall be substituted; and for the expression "several owners, to the mortgagor, and, to the owner and the tenant, respectively. He shall also have to decide as to the compensation to be paid to the superior land lord (if any)", the expression "several persons interested, to the mortgagor and to the tenant, respectively" shall be substituted.

7. For rule 17, the following shall be substituted, namely:—

"17. *Relief in rent and date from which it would take effect.*—When any agricultural land assessed to rent is acquired, the

tenant shall be entitled to be relieved of the liability to pay the rent assessed on the land to be acquired, and such relief shall have effect from the beginning of the agricultural year in which possession of the land is taken.

8. Rule 18, 19 and 20 shall be omitted.

9. In Rule 21, for the expression "land revenue" wherever occurring the expression "rent" shall be substituted.

10. Rule 22 shall be omitted.

11. In rule 25, for the word "owners" the words "persons interested" shall be substituted.

12. In rule 26, for the expression "section 19" the expression "section 18" shall be substituted.

13. After rule 31, the following new part shall be added, namely :—

PART—I

Rule dealing with acquisition of land for companies.

32. *State Government to be satisfied with regard to certain matters before initiating acquisition proceedings.*—(1) Whenever a Company makes an application to the State Government for acquisition of any land, the Government shall direct the Collector to submit a report to it on the following matters, namely:—

- (i) that the Company has made its best endeavour to find out lands in the locality suitable for the purpose of acquisition;
- (ii) that the Company has made all reasonable efforts to get such lands by negotiation with the persons interested therein on payment of reasonable price and such efforts have failed;
- (iii) that the land proposed to be acquired is suitable for the purpose;
- (iv) that the area of land proposed to be acquired is not excessive;
- (v) that the Company is in a position to utilise the land expeditiously; and
- (vi) where the land proposed to be acquired is good agricultural land, that no alternative suitable site can be found so as to avoid acquisition of that land.

(2) The Collector shall, after giving the company a reasonable opportunity to make any representation in this behalf, hold an enquiry into the matters referred to in sub-rule (1) and while holding such enquiry he shall—

- (i) in any case where the land proposed to be acquired is agricultural land consult, the District Agricultural Officer of the district whether or not such land is good agricultural land;
- (ii) determine, having regard to the provisions of section 23 and 24 of the Act, the approximate amount of

compensation likely to be payable in respect of the land which, in the opinion of the Collector, should be acquired for the Company; and

- (iii) ascertain whether the Company offered a reasonable price (not being less than the compensation so determined), to the persons interested in the land proposed to be acquired.

Explanation.—For the purpose of this rule “good agricultural land” means any land which, considering the level of agricultural production and the crop pattern of the area in which it is situated, is of average or above average productivity and includes a garden or grove land.

(3) As soon as may be after holding the enquiry under sub-rule (2), the Collector shall submit a report (in duplicate) to the State Government.

(4) No declaration shall be made by the State Government under section 6 of the Act unless the agreement under section 41 of the Act has been executed by the company.

33. *Matters to be provided for in the agreement under section 41.*—(1) The terms of the agreement referred to in section 41 of the Act shall also include the following matters, namely :—

- (i) that the company shall not, except with the previous sanction of the State Government, use the land for any purpose other than that for which it is acquired;
- (ii) that the time within which the dwelling-houses or amenities directly connected therewith shall be erected or provided, or the building or work shall be constructed or executed, shall not exceed three years from the date of transfer of the land to the Company;
- (iii) that where the State Government is satisfied, after such enquiry as it may deem necessary, that the Company was prevented by reasons beyond its control from erecting, providing constructing or executing dwelling-houses or amenities or any building or work within the time specified in the agreement, the State Government may extend the time for that purpose by a period not exceeding one year at a time so however that the total period of extension shall not exceed three years;
- (iv) that if the Company commits a breach of any of the conditions provided for in the agreement, the State Government may make an order (a) declaring the transfer of the land to the Company as null and void, whereupon the land shall revert back to the State Government; and (b) directing that an amount not exceeding one-fourth of the amount paid by Company

to the State Government as the cost of the acquisition under clause (1) of section 41 of the Act shall be forfeited to the State Government as damages and the balance shall be refunded to the Company, and the order so made shall be final and binding;

- (v) that if the Company utilises only a portion of the land for the purpose for which it was acquired and the State Government is satisfied that the Company can continue to utilise the portion of the land used by it even if the unutilised part thereof is resumed, the State Government may make an order declaring the transfer of the land with respect to the unutilised portion thereof as null and void whereupon such unutilised portion shall revert back to the State Government and directing that an amount not exceeding one-fourth of such portion of the amount paid by the Company as cost of the acquisition under clause (1) of section 41 of the Act as is relatable to the unutilised portion shall be forfeited to the State Government as damages and that the balance of that portion shall be refunded to the Company, and the order so made shall, subject to the provisions of clause (vi) be final and binding;

- (vi) that where there is any dispute with regard to the amount relatable to the unutilised portion of the land, such dispute shall be referred to the Court within whose jurisdiction the land or any part thereof is situated and the decision of the Court thereon shall be final.

(2) Where the Company commits a breach of any of the terms of the agreement the State Government shall not make an order under clause (iv) or clause (v) of sub-rule (1) unless the Company has been given an opportunity of being heard in the matter.

34. *Additional matters which may be provided for in the Agreement under section 41*—(1) Without prejudice to the provisions of rule 33, the terms of the agreement referred to in section 41 of the Act may also include the following matters, namely :—

That, in any case of urgency where possession of any land is proposed to be taken under section 17 before an award has been made under section 11 of the Act the Company shall deposit with the Collector, free of interest, such amount (being not more than two-thirds of the approximate amount of compensation payable in respect of the land as determined under clause (ii) of sub-rule (2) of rule 33,) and within such time as the Collector thinks fit, to specify in this behalf.

(2) Where any amount has been deposited with the Collector under sub-rule (1), the Collector shall tender payment of the amount so deposited to the person interested who, in the opinion of the Collector, are entitled to receive payment of compensation under sub-section (1) of section 31 of the Act, and shall pay it to them unless prevented by some one or more of the contingencies mentioned in sub-section (2) of section 31 of the Act, subject to the following conditions, namely :—

(i) the execution of any agreement by each recipient that the amount received by him would be adjusted against the compensation finally awarded and that where the amount received by him exceeds the amount of the compensation finally awarded, the excess amount shall be recoverable from him as an arrear of land revenue and that he shall not claim any interest under the provisions of the Act in respect of the amount received by him under this sub-rule; and

(ii) the execution of a bond by each recipient, with or without security as the Collector may decide, undertaking to indemnify the State Government against any claim for compensation or part thereof by any other person.

(3) If the amount deposited by the Company under sub-rule (1), or any part thereof is not paid under sub-rule (2), the Collector shall, as soon as practicable, refund the same to the Company.

35. *Submission of periodical reports.*—For the purpose of ensuring that the conditions provided for in the agreement executed by the company are complied with, the State Government may direct the Collector, or such other officer as the Government may appoint for the purpose, to submit to it and to the Committee, a periodical report, at such interval of time as it may specify, indicating the conditions which have been or have not been complied with as well as the steps taken by the Company towards their compliance.

36. *Conditions under which sanction may be given for transfer of land.*—Where a Company for which land has been acquired under the Act applies for the previous sanction of the State Government for the transfer of that land or any part thereof by sale, gift, lease or otherwise, no such sanction shall be given unless :—

(i) the proposed transfer of land along with dwelling-houses, amenities, buildings or work, if any, is to some other Company, or where the Company is a co-operative society, such transfer is to any of all of its members, or

(ii) where the land has been acquired solely for the erection of dwelling-houses for workmen employed by the Company, the proposed transfer of the land along with dwelling-houses, if any, is to such workmen or their dependent heirs :—

37. Special provisions in relation to certain companies.— When an application is made to the State Government for acquisition of any land by a Company, other than a Company owned or controlled by the Central Government or any State Government, such acquisition shall ordinarily be made in accordance with the provisions of Part VII of the Act.

(2) Where any land is proposed to be acquired for a company, other than a Company owned or controlled by the Central Government or any State Government, the special powers conferred on the State Government under section 17 of Act shall not be exercisable unless it is satisfied that it is necessary to do so in order to avoid danger to life or property or that it is otherwise necessary to do so in public interest "

15. The existing Form No. 1 shall be substituted as follows, namely :—

“FORM No. 1
(See Rule 3)

FORM OF ORDER UNDER SUB-SECTION (1) OF SECTION 4 OF RAJASTHAN ACT 24 OF 1953.

ORDER

No. _____ Dated Jaipur, the 196.

Whereas it appears to the State Government that land in the locality described below is needed, or is likely to be needed for a public purpose namely(purpose to be mentioned) now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Rajasthan Land Acquisition Act, 1953, (Rajasthan Act 24 of 1953), the State Government hereby requires and authorises....being an officer subordinate to it, to enter upon or into any land in the said locality accompanied by his servants and workman, if any.

(a) to survey and take levels of such land suitable for such purpose,

(b) to dig or bore into the sub-soil thereof,

(c) to set out the boundaries of such land and the intended line of the work, if any, proposed to be carried out thereon or therein,

(d) Where otherwise the survey cannot be completed or the levels cannot be taken or the boundaries or the line cannot be set out, to cut down and clear away any part of any standing crop, fence or jungle,

(e) to mark the levels taken or the boundaries or the intended line of work by placing marks and cutting trenches,

(f) to do all other acts necessary to ascertain whether land is suitable for such public purpose, and

(g) to inquire into ascertain the particulars of the persons interested in such land : Provided that as laid down in the pro-

viso to clause (g) of sub-section (1) of section 4, of the Act, no person shall enter into any building or upon any enclosed court or garden attached to a dwelling house (unless with the consent of the occupier thereof) without giving such occupier at least seven days notice in writing of his intention to do so.

(2) The said officer making an entry as above shall, at the time of such entry, pay or tender payment for all necessary damages to be done to the land entered upon or into and, in case of dispute as to the sufficiency of the amount so paid or tendered, he shall at once refer the dispute for the decision of the Collector, and such decision shall be final.

(3) The said officer shall send to the collector, as required by sub-section (4) of section 4, a report on the result of the survey, as to the other operations described in or carried on under sub-para (1) above, as to the enquiries made there-under and as to the particular land in the locality which may be acquired for public purpose.

Description of locality

District	Tehsil	Locality
----------	--------	----------

Note :—The description of the locality should be so framed as to indicate, as clearly as practicable, where the land lies in a particular village.

Copy forwarded to the :—

1. Collector of.....(district), for information and (a) forwarding copies of this order to the (i) Tehsil, and (ii) Village Panchayat concerned for being affixed at the notice board of the Tehsil/Village Panchayat; and

(b) getting copies of the notice affixed at some convenient place on or near about the land in other conspicuous public place in the locality or publishing the same by beat of drum, or by advertisement in a newspaper having wide publicity in the locality, or by any two or more than these means; and

(2) for taking action upon the receipt of the reports as required by sub-section (5) of section 4 of the Act.

2. Department/Company for information and necessary action with reference to..... (Reference to be given).

15. After Form No. 1 so substituted, the following new Form shall be added, namely :—

“FORM No. 1A”

(See Rule 3A)

Form of notice under clause (i) of sub-section (5) of section 4 of Rajasthan Act 24 of 1953.

1.....(Head of Government Department).

2 (Persons reported under clause (g) of sub-section (1) of section 3 to be interested in the land).

Whereas in compliance with order No.....dated..... issued by the State Government in exercise of the powers conferred by sub-section (1) of section 4 of the Rajasthan Land Acquisition Act, 1953. (Rajasthan Act 24 of 1953).....(name of officer with designation), has submitted his report as required by sub-section (4) of the said section, and has reported that the land of which the description is given below.

Description of land

District

Tehsil

Locality

is suitable for the public purpose as mentioned in the said order, namely :—

..... (Purpose to be mentioned)

Now, therefore, in pursuance of the provisions of clause (i) of subsection (5) of section 4 of the said Act, notice is hereby given that it is proposed to acquire the said land for the said public purpose. Any person interested in the said land may, within thirty days after the issue of this notice, object to the acquisition of the land in accordance with the provision of section 5 A of the Act, and rule 4 of the Rajasthan Land Acquisition Rules, 1956.

Issued under my hand and seal

Seal

Sd/Collector.

Dated..... ..

ORDER

Ordered that a copy of this notice be affixed at the notice board of this office, and copies be also affixed at the notice board of Tehsil..... and the notice board of village panchayat.... and a copy be also affixed at some convenient place on or near about the land and in other conspicuous public place in the locality or by publishing the same by beat of drums or by advertisement in a newspaper having wide circulation in the locality or by any two or more of these means.

Seal

Sd/-Collector.

District.....

Date.

16. In paragraph 2 of Form No. 3 the expression "and under the provisions of section 7 of the said Act,"- shall be omitted.

17. In Form No. 4, after the expression "claims to compensation for such interests." The expression "and their objection (if any) to the measurements made" shall be inserted.

Rules and Notifications under

LAND REFORMS AND RESUMPTION OF JAGIRS ACT, 1952.
THE RAJASTHAN (6 OF 1952.)

Rajasthan Land Reforms and Resumption of Jagirs (Concessions) for Khudkasht on Rajasthan Canal Project Area)

Rules, 1962.

Revenue (A) Department

Notification No. Flg (4) Rev/A/68, dated August 9, 1968.

In exercise of the powers conferred by clause (f) of sub-section (2) of section 48 of the Rajasthan Land Reforms and Resumption of Jagirs Act, 1952 (Act No. VI of 1952), the State Government hereby makes the following amendments to the Rajasthan Land Reforms and Resumption of Jagirs (Concessions for Khudkasht on Rajasthan Canal Project Area) Rules, 1962, hereinafter referred to as "the said rule", namely:—

Amendments

1. In rule 8 of the said rules, the words "in Form B appended to these rules" shall be omitted.

2. After rule 14 of the said rules, the following rule shall be added, namely:—

14 A. (1) The price of the different kinds of Government lands, allotted or to be allotted in the Rajasthan Canal Project area under these rules shall be as follows:—

No.	Class of soil	Per Bigha	Per Murabba of 25 bighas
1.	Nali	800/-	20,000/-
2.	Light Loam	675/-	16,875/-
3.	Sandy Loam	500/-	12,500/-
4.	Uncommand	150/-	3,750/-

(2) The price mentioned in sub-rule (1) shall be recoverable in instalments as indicated below in respect of each square of 25 bighas for the different soil classes of land sanctioned by the Collector as defined in clause (i) of section 2 of the Rajasthan Colonisation Act, 1954.—

	Nali	Light Loam	Sandy Loam	Uncommand
	1	2	3	4
Immediately 12½% of the price	2500	2109	1562.50	718.75
1st Instalment	1750	1476	1093.75	303.10
2nd Instalment	1750	1476	1093.75	303.10
3rd Instalment	1750	1476	1093.75	303.10
4th Instalment	1750	1476	1093.75	303.10

5th Instalment	....	1750	1476	1093.75	333.10
6th Instalment	....	1750	1476	1093.75	303.15
7th Instalment	....	1750	1476	1093.75	303.15
8th Instalment	....	1750	1476	1093.75	303.15
9th Instalment	....	1750	1476	1093.75	303.15
10th Instalment	....	1750	1482	1093.75	303.15
Total.		20000	16875	12500.00	3750.00

(3) No betterment fee shall be charged on Government lands allotted at the prices mentioned in sub-rule (1).

(4) Betterment fee shall be charged on Government lands allotted free of cost under these rules.

(5) The amount of advance payment deposited by the allottee at the time of allotment, if any, shall be adjusted at the time of recovery of the 12½% of the price.

(5) All annual instalments shall be liable to be paid by the allottee at the nearest Sub-Treasury on or before the 15th of July and an interest 9 % per annum shall be charged on the amount of instalments falling into arrears on that date.

(7) In case any land allotted as uncommand becomes command, at any time subsequently, the market price prevalent at the time shall be charged and in case any land sold as command is declared as uncommand by the Irrigation Department before its price is fully paid up, the amount paid towards the payment of the price thereof as command land will be adjusted towards the price and instalments payable for it as uncommand land and any amount paid in excess thereof will be refunded to the allottee.

(8) After allotment of land to each individual allottee, the Deputy Colonisation Commissioner shall prepare for each allottee a demand statement of the instalments to be realised from him and shall send it to the Collector and then it shall be the duty of the Collector to realise from the allottee the instalments as and when they fall due and to maintain ledger and account registers connected therewith. The amounts realised as well as the instalments falling in arrears with regard to each allottee shall be reported by the Collector after each year to the Colonisation Commissioner and the Deputy Colonisation Commissioner, if any.

(3) Form 'B' appended to the said rules shall be omitted.

[Pub. in Raj. Gaz. Ex. 4 (Ga) —Dt. 9.8.68 Page 403]



Rules and Notifications under
LAND REVENUE ACT, 1956.
(RAJ. ACT No. 15 OF 1956).

**RAJASTHAN LAND REVENUE (ALLOTMENT OF LAND
FOR AGRICULTURAL PURPOSES) (AMENDMENT)
RULES, 1969.**

Notification S. O. 78. dated October 31, 1969.—In exercise of the powers conferred by clause (xviii) of sub-section (2) of section 261, of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956), the State Government hereby makes the following rules to amend the Rajasthan Land Revenue (Allotment of land for Agricultural purposes) Rules, 1957, namely.

1. *Short title.*—Those rules may be called the Rajasthan Land Revenue (Allotment of Agricultural Purposes) (Amendment) Rules, 1969.

2. *Amendment of rule 13.*—After clause (iv) of sub-rule (1) of rule 13 the Rajasthan Land Revenue (Allotment of Land for Agricultural Purposes) Rules, 1957, the following clause shall be added, namely:—

(v) Two members of the Scheduled Caste/Scheduled Tribe of the Panchayat Samiti of the area. If there are more than two members belonging to Scheduled Caste/Tribe in a Panchayat Samiti, the Panchayat Samiti, concerned shall nominate two members to the Advisory Committee.”

[Pub. in Raj. Gaz. 4 (Ga) (II)—Dt. 25-12-69—Page 132]

Rajasthan Land Revenue (Allotment of Land for Agricultural purposes by Sinking Tube Wells) Rules, 1969.

Revenue (B) Department

Notification G. S. R. 21. Dated June 17, 1969.--In exercise of the powers conferred by section 101 of the Rajasthan Land Revenue Act, 1956 (Act No.15 of 1956) read with clause(xviii) of sub-section (2) of section 261 and clause (b) of sub-section (1) of section 260 thereof and all other powers enabling it in this behalf, the State Government hereby makes the following rules, namely:—

1. *Short title, extent and commencement.*--(1) These rules may be called the Rajasthan Land Revenue (Allotment of Land for Agricultural purposes by Sinking Tube Wells) Rules, 1969.

(2) They shall extend to Districts of Barmer, Bikaner and Jaisalmer.

(3) They shall come into force at once.

2. *Definitions*--In these rules, unless there is anything to the contrary in the subject or context:—

(a) "Act" means the Rajasthan Land Revenue Act, 1956.

(b) "Form" means a form appended to these rules.

(c) "Government" means the Government of Rajasthan.

3. *Preparation of list of unoccupied Government Land available for allotment.*—The Collector shall prepare, in consultation with the Agriculture Department, a list of unoccupied Government land in the vicinity of a tube well site which shall be available for allotment under these rules.

4. *Maximum area to be allotted*--(1) Fifty acres of land in the vicinity of a tube-well site shall be initially allotted to a private entrepreneur and after the command area of the tube well is determined by the Government according to the capacity and other relevant factors, land in excess of fifty acres, subject to the limit of the command area determined of a particular tube-well, will be further allotted.

(2) All allotments under these rules shall be made by the Collector of the District.

5. *Issue of proclamation inviting applications for allotment.*—The Collector shall issue a proclamation inviting applications for allotment of land for purposes by sinking tube-wells. Such proclamation shall give necessary details of the land available for allotment and shall be published in the Rajpatra and in such local or all India Newspapers as the Collector may decide.

6. *Application for allotment.*—(1) Any private entrepreneur desirous of obtaining an allotment under these rules may apply in writing to the Collector of the District in which the land is situate.

(2) The application shall be in Form I and shall be verified as a plaint under the Code of Civil Procedure.

(3) The application for allotment may be presented in person to the Collector or be sent by registered post.

7. *Register of applications.*—The Collector shall record on each application the date and time of its receipt and shall enter all applications in a Register of applications.

8. *Scrutiny of applications.*—The Collector shall scrutinize the particulars given in each application.

9. *Order of priorities for allotment.*—(1) If there is only one applicant for a particular tube-well site, it shall be allotted to him.

(2) If there are more than one applicant for the same land, the allotment shall be made to the person whose application was entered first in the register maintained under rule 7.

10. *Appeal against the order of the Collector.*—Any person aggrieved with the Collector's order of allotment or an order of rejection of an application for allotment, may appeal to the Government within 30 days of such order.

11. *Conditions for allotment.*—Allotment of land under these rules shall be subject to the following conditions, namely—

(1) The allotment shall be on a Ghair Khatedari Tenancy with a right to ultimate conferment of Khatedari tenancy after the expiry of a period of 10 years provided the allottee fulfills during this period the terms and conditions of allotment.

(2) A nominal rent of Re. 1/-per annum, for every 50 acres of Land shall be charged for a period of 10 years from the date of completion of a tube-well and thereafter full rent payable under the law shall be charged.

(3) The State Government shall by Notification exempt the lands allotted under these conditions (Rules) from the operation of Section 30 E of the Rajasthan Tenancy Act, 1955 (Act No. 3 of 1955).

(4) The allottee will be free to get the tube-well sunk through the agency of the Rajasthan Ground Water Board or any other agency, but if the work is entrusted to a private agency, the assessment of total cost shall not exceed the rates prescribed by the Rajasthan Ground Water Board for construction of such tube wells.

(5) The allottee shall have to sink the tube-well at a site approved by the Director of Agriculture, Government of Rajasthan, and shall have to complete the sinking operations, within one year of the date of allotment, failing which the allo

tment shall be liable to cancellation and the land will revert to the State Government free from any liability.

(6) If the tube-well is successful for purposes of agriculture, the command area of the tube-well will be determined by the Government according to its discharge capacity and other relevant factors.

(7) The allottee shall provide free drinking water to human and cattle population of the area near the site of the tube-well and shall for this purpose construct a reservoir of prescribed specifications.

(8) It would be permissible for a private entrepreneur to sink up to five tube-well in a contiguous or adjacent area to make the project economical.

(9) If water is not struck up to the maximum depth or if it is so saline that it is not suitable for agricultural purposes the Government would pay 1/3rd of the cost of the unsuccessful tube-well as subsidy and resume the land.

Provided that if the allottee wants to retain the land it shall not be entitled to any subsidy and full rent for the land shall be charged from the date of the tube-well having been declared unsuccessful by the Agriculture Department.

(10) The allottee shall have to execute an agreement within a fortnight of the communication to him of the order of allotment and thereafter the possession of the land shall be given by the Collector.

(11) The land shall be liable to be resumed by the State Government without payment of any compensation if the allottee commits breach of any of the conditions of allotment.

FORM I

Rule 6 (2)

Application for allotment of land under the Rajasthan Land Revenue (Allotment of Land for Agricultural Purposes by Sinking Tube Wells) Rules, 1969.

To
The Collector.

Sir,

I..... S/o Resident
of..... Village..... Tehsil..... District ..
Occupation..... State as under;—

1. That I am a private entrepreneur desirous of obtaining an allotment under the Rajasthan Land Revenue (Allotment of Land for Agricultural Purposes by Sinking Tube Well) Rules, 1969.

(2) That I want to take the land mentioned below for sinking tube well.

Particulars of Land applied for.

S.N.	Name of village	Khasra No.	Area	Reference to the proclamation issued by Collector under Rule 5.
1	2	3	4	5

3. That I hereby undertake to abide by the conditions of allotment as contained in the Rajasthan Land Revenue (Allotment of Land for Agricultural purposes by Sinking Tube Wells) Rules, 1969, and the provisions of the Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955), and the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. 15 of 1956).

Yours faithfully

Address-----

I verify that the statements made in the above application are true to the best of my knowledge and that I have stated the truth and have not suppressed any fact.

Witness:—

Signature of applicant.

RECEIPT

Received the application of Shri-----for allotment of land under the Rajasthan Land Revenue (Allotment of land for Agricultural purposes by Sinking Tube Wells) Rules, 1969, on-----at-----hours.

Rajasthan Allotment of Ravine Land Rules, 1967

Revenue (B) Department

Notification No. F. 6 (34) Rev/B/67, dated January 17, 1968.—In exercise of the powers conferred by clause (xviii) of sub-section (2) of section 261 read with sub-clause (b) of sub-section (1) of section 269 of the *Rajasthan Land Revenue Act, 1956* (Rajasthan Act No. 15 of 1956), the State Government hereby makes the following rules, namely :—

1. *Short title, extent and commencement.*—(1) These rules may be called the Rajasthan Allotment of Ravine Land Rules, 1967.

(2) They shall extend to Bharatpur, Sawai Madhopur, Bundi and Kota Districts of the State of Rajasthan.

(3) They shall come into force on the date of their publication in the Rajasthan Rajpatra.

2. *Interpretation.*—For the purposes of these rules the expression “Ravine Land” means the land spoiled by the action of water into gullies and narrow gorges and rendered unfit for cultivation by ordinary means.

3. *Kind of land to be allotted.*—The Ravine Lands in the Districts of Bharatpur, Sawai Madhopur, Bundi and Kota outside an irrigation project and lands adjacent to or within Ravine areas as may be included for allotment along with the Ravine Lands in the said districts, shall be allotted under these rules.

4. *Issue of public notice inviting applications for allotment.*—The Collector shall issue a public notice in Form I inviting applications for allotment of Ravine Lands specifying therein the details of the lands offered for allotment and the conditions of their allotment. Such notices shall be published in the Rajasthan Rajpatra and in newspapers having wide circulation in Rajasthan. Copies of the said public notice shall also be affixed on the notice boards of the Offices of the Collector, Sub-Divisional Officers and Tehsildars of the District.

5. *Application for allotment.*—(1) Upon the issue of a public notice under rule 4 any person may submit an application in writing to the Collector of the District concerned for allotment of a Ravine Land in Form II.

(2) All applications for allotment shall be signed and verified by the applicant or his authorised agent in manner provided for verification of plaints in Order VI, Rule 15 of the Code of Civil Procedure.

(3) An application for allotment may be submitted to the Collector in person or sent by registered post.

6. *Register of application.*—All applications received shall be entered forthwith in a register of applications in Form III and the Collector or any officer authorised by him to receive such applications shall record on each application the date and time of its receipt.

7. *Enquiry by the Collector.*—The Collector shall check the particulars given in each application and may make such enquiries as he deems fit.

8. *Order of priorities for allotment.*—(1) If there is only one applicant for a particular Ravine Land, it shall be allotted to him.

(2) If there are more than one applicants for the same Ravine Land, allotment shall be made to the applicant whose application was received first :

Provided that if more than one applications for the same Ravine Land are submitted or received on the same day, the allotment will be made by drawing lotst.

9. *Extent of allotment.*—The area to be allotted to each applicant under these rules shall be up to one hundred acres only.

10. *Allotment* —(1) All allotments under these rules shall be made by the Collector of the District concerned.

(2) The order of allotment shall be given to the allottee in writing.

11. *Conditions of allotment.*—(1) The allotment of land under these rules shall be on a Ghair Khatedari tenancy with a right to ultimate conferment of khatedari rights after the expiry of a period of ten years from the date of allotment provided that the allottee fulfils during this period the terms and conditions of allotment. Until khatedari rights are conferred, the allottee shall have all the rights and subject to all the liabilities of a Ghair-Khatedari tenant under the Rajasthan Tenancy Act, 1955.

(2) The allottee shall be liable to payment of rent at the sanctioned rent rates after the expiry of a period of 5 years from the date of allotment.

(3) The allottee shall use the Ravine Land allotted to him for the purpose or agriculture only.

(4) The allottee shall have to cultivate at least one-fourth of the land allotted to him within five years, at least two-third to the land within three years and the entire land within five years from the date of the allotment :

Provided that if the allottee brings two-third of the land under cultivation within three years, he will have, in lieu of cultivating, the option of developing a personal forest on the remaining land.

Provided further that the allottee shall have the option of developing such personal forest at any time, if he fulfils the condition of cultivating at least one fourth of the land allotted to him within two years and at least two-third of the land within three years from the date of allotment.

(5) The land shall be liable to be resumed by the State Government without payment of compensation in case of breach of the condition of allotment.

(4) The allottee shall have to cultivate at least one-fourth of the land allotted to him within two years, at least two-third of the land within three years and the entire land within five years from the date of the allotment :

Provided that if the allottee brings two-third of the land under cultivation within three years, he will have, in lieu of of cultivating the option of developing a personal forest on the remaining land :

Provided that the allottee shall have the option of developing such personal forest at any time, if he fulfils the condition of cultivating at least one-fourth of the land allotted to him within two years and at least two-third of the land within three years from the date of allotment.

(5) The land shall be liable to be resumed by the State Government without payment of compensation in case of breach of any of the conditions of allotment.

FORM II

(See Rule 5 (1))

Application for allotment of Ravine Land under the Rajasthan Allotment of Ravine Land Rules, 1967.

To

The Collector,
.....

Sir,

I.....S/oresident of.....
.....Tehsil.....District.....State.....
.....Occupation.....state as under :—

2. That I want to take the following lands for cultivation in accordance with the terms and conditions of the Rajasthan Allotment of Ravine Land Rules, 1967.

- (a) Particulars of Ravine Land.
- (b) Name of Tehsil.
- (c) Name of village.
- (d) Khasra numbers.
- (e) Area.
- (f) Soil Class.

3. That I hereby undertake to abide by the provisions of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3

of 1955), the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956), and the Rajasthan Allotment of Ravine Land Rules, 1967.

Yours faithfully,
Signature of applicant.

FORM III

(See Rule 6)

REGISTER OF APPLICATIONS FOR ALLOTMENT OF RAVINE LANDS.

Name of District.....

S. No.	Name of applicant with parentage.	Residence.	Occupation	Dat and time of receipt of application
1	2	3	4	5
Particulars of Ravine		Land applied		Particulars of land
Tehsil	Village	Khasra No	Area	applied for Soil Class.
6	7	8	9	10
				Remarks
				11

[Pub. in Raj. Gaz. Ex. 4 (Ga)-Dt. 23-1-68-Page 893]

Raj. (Allotment of Tube-well Land), Rules, 1968.

REVENUE (B) DEPARTMENT

Notification No. F. 6. (9) Rev./B/Gr.I/97., dated, May 27, 1968.—In exercise of the powers conferred by clause (XVIII) of sub-section (2) of section 261 read with clause (b) of sub-section (1) of section 260 of the Rajasthan Land Revenue Act, 1956, (Act No. 15 of 1956), the State Government hereby makes the following rules, namely:—

1. *Short title, extent and commencement.*—(1) These rules may be called the Rajasthan (Allotment of Tube-well Land), Rules, 1968.

(2) They shall extend to the districts of Jaisalmer and Barmer.

(3) They shall come into force at once.

2. *Interpretation.*—In these rules, unless there is any thing repugnant in the subject or context:—

(i) “Collector” means the Collector of the District in which the tube-well land situate.

(ii) “tube-well land” means any Government land which is declared by the Collector under rule 3 of these rules to be Tube-well land.

(iii) Words and expressions used, but not defined in these rules, shall have the same meaning as assigned to them in the Rajasthan Tenancy Act, 1955 (Act No. 3 of 1955) or in the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956).

3. *Declaration of Tube-well Land.*—The Collector may, from time to time, declare by notification in the Official Gazette, any land, specifying its location, Khasra Number, area and other particulars, to be a tube-well land and upon such a declaration, it shall be reserved and be available for allotment by auction under these rules.

4. *Allotment.*—All allotments under these rules shall be of tenancy rights and the allotment shall be made by public auction.

5. *Issue of Notice of Allotment by Auction.*—(1) Whenever, it is proposed to allot any tub-well and the tube-well land, the Collector shall issue a notice of the auction.

(2) The notice shall specify the date and time of auction and shall contain the necessary particulars of the tube-well and tube-well land to be auctioned and also the terms and conditions of auction. Full details of the tube-well and the tube-well land can also be obtained by any person from the office of the Collector.

(3) Copies of the notice shall be affixed on the notice boards of the offices of Collector, Tehsildar and Gram Panchayat concerned and also affixed at or near the tube-well land at a convenient place or at some other conspicuous public place in the locality. The notice shall further be published in such news papers as the Collector may decide.

6. *Officer Conducting the Auction.*—Public auction for allotment of the tube-well and the tube-well land under these rules shall be held by the Collector or by a Gazetted Officer appointed by him, for the purpose.

7. *Reserve Price.*—The Government shall fix the reserve price of the tube-well and the tube-well land. Such reserve price shall be fixed keeping in view the approximate cost of the land under the command of such tube-well, the cost of construction of the tube-well, its appurtenances and buildings but not the amount of interest on investment made by the Government.

8. *Conditions of Auction.*—The following shall be the conditions of auction under these rules:—

(1) Tube-well land and the tube well shall be put up for auction in one lot or in several lots and the Collector shall be competent to withdraw any lot or lots from auction without assigning any reason.

(2) The auction price shall be the reserve price fixed by the Government under rule 7 of the price offered at the auction, whichever is higher.

(3) No person shall be allowed to bid unless he :—

(a) deposits an earnest money amounting to 5% of the total reserve price of each tube-well and the tube-well land in cash. This earnest money shall be refunded on the spot to the unsuccessful bidders at the conclusion of the auction.

(b) signs an undertaking that the tube-well land and the tube-well shall be used for the purposes of agriculture only.

(4) No person shall, at any auction, retract from his bid and if any dispute arises, the tube-well land and the tube-well shall be put up to auction again at the last undisputed bid.

(5) The highest acceptable offer shall be communicated to the Collector and the sale shall not be complete unless the offer is accepted by the Collector and the same is not rejected by the State Government under sub-rule (6).

(6) The State Government reserves the right to reject any offer within a period of one month from the date of acceptance of such offer by the Collector or to withdraw any tube-well land or tube-well from auction at any time before the acceptance of the offer without assigning any reason.

(7) A sum equivalent to 25% of the auction price shall be deposited in cash by the bidder immediately at the conclusion of the bid, the other 25% of the purchase price shall be paid at the time of delivery of possession of the tube-well land and the tube-well and the balance shall be paid or deposited in cash or be paid by demand draft on a Scheduled Bank having its branch in Rajasthan within one year from the date of the communication to him of the allotment by the Collector. If the payment is not made in this manner, interest @9% per annum will be chargeable on such amount as remains unpaid and in addition, the State Government shall have the power to forfeit the amounts received upto that time and to resume the tube-well and the tube-well land without payment of any compensation.

(8) Should any highest acceptable bidder fail to deposit 25% of the purchase price immediately at the conclusion of the bid, the amount of earnest money deposited by him under sub-rule (3) (a) shall be forfeited to the State Government and the tube-well land will be re-auctioned and any deficiency of price which may result on such re-auction shall be recoverable from the defaulting bidder.

9. *Obligation to cultivate.*—(1) The allottee shall be under an obligation to bring two-third of the land under cultivation within 2 years of the allotment and the remaining one-third of the land may be utilised by him for any other purpose connected with agriculture.

(2) If it is discovered at any time that the allottee has failed to cultivate the tube-well land as provided for in sub-rule (1) or that he has used the tube-well or tube-well land for any non-agricultural purposes, the tube-well land and the tube-well allotted shall be resumed by the Collector without payment of any compensation.

10. *Conferment of Khatedari Rights.*—The bidder whose offer has been accepted and who has been allotted tube-well and tube-well land under these rules will hold the same as Ghair Khatedar tenant subject to the ultimate conferment of khatedari rights on the expiry of 2 years provided that the full price stands paid by him and he has complied with all the conditions and obligations imposed on him by these rules.

11. *Payment of Rent.*—The allottee shall be liable to the payment of such rent as may be fixed, in respect of the tube-well land allotted to him, under any law on the subject for the time being in force.

12. *Repeal.*—The Rajasthan Land Revenue (Allotment of Tube-well Land) Rules, 1966 are hereby repealed.

**Rajasthan Land Revenue (Paper Khar and Sajji Producing) Lease
Rules, 1968.**

Industries (A) Department

Notification G. S. R. 7, dated February 6, 1969.—In exercise of the powers conferred by clause (XIV) of sub-section (2) of section 261 read with section 89 and 102 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956) the State Government hereby makes the following amendments to the Rajasthan Land Revenue (Paper Khar and Sajji Producing Areas) Lease Rules, 1968 hereinafter referred to as the said Rules, namely.—

In Rule 9 (4) (iii) for the words “The Director of Industries concerned” the words “The Assistant Director of Industries concerned” may be substituted.

[Pub. in Raj. Gaz. 4 (Ga)—(I)Dt. 1-5-69—Page 69].

THE RAJASTHAN LAND REVENUE (SALINE AREAS ALLOTMENT) RULES, 1970.

Notification G. S. R. 109, dated March 12, 1970.—In exercise of the powers conferred by clause (XLIV) of sub-section (2) of section 261 read with section 102 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956), the state Government hereby makes the following rule prescribing the conditions on which land for the purpose of the salt industry may be allotted in the State of Rajasthan, namely:—

1. *Short title*—These rules may be called the Rajasthan Land Revenue (Saline Areas Allotment) Rules, 1970.

2. *Definitions*.—In these rules, unless the subject or context otherwise requires—

(a) “Director” means the Director of Industries and Civil Supplies Rajasthan;

(b) “Directorate” means the office of the Director of Industries & Civil Supplies, Rajasthan;

(c) “form” means form appended to these rules;

(d) “Government” means the Government and the State of Rajasthan respectively;

(e) “Officer in-charge” means the joint Director of Industries and includes any officer appointed by the Government /Director to perform the duties of the officer-in-charge in this behalf;

(f) “Open area” means a saline area other than a reserved area;

(g) “Reserved area” means a saline area in which salt is manufactured by or under the Control of the Government of Rajasthan and/or the Central Government;

(h) “Saline area” means an area of land suitable for the manufacture of salt and so declared by the Government under rule 5;

(i) “Salt” means Sodium Chloride manufactured from the brine available from springs and lakes or from saline earth or mines;

(j) “Society” means a Co-operative Society registered under the Rajasthan Co-operative Societies Act, 1965 Rajasthan Act (13 of 1965).

3. *Applicability of these rules*.—These rules shall apply to saline areas in the State of Rajasthan.

4. *Survey of saline areas*.—(1) The Government in the Industries Department may by a notification in the official

gazette, authorise any officer of the Directorate to conduct a survey and take samples from any area in the State of Rajasthan in respect of which he has reasons to believe that it is rich in salt contents.

(2) Such officer, after conducting necessary survey and satisfying himself that salt can be manufactured in a particular area shall report the result to the officer-in-charge, with the assistance of the Tehsildar concerned, the officer-in-charge shall get a map and statement containing khasra numbers, area (khasrawise), class/nature of land, owner's name etc, prepared. Along with these documents, the officer-in-charge shall send a report to the Director. The director on satisfying himself on the report of the officer-in-charge may move the Government in the Revenue Department through the Government in the Industries Department for declaring the proposed area as saline area.

5. *Declaration of Saline area.*—The Government in the Revenue Department may, after consulting the Collector concerned, if necessary, declare by publishing a notification in the official gazette, any area in respect of which a report is received under rule 4, as a Saline area.

6. *Transfer of saline areas.*—(1) As soon as an area is declared as saline area, it shall stand transferred to the control of the Government in the Industries Department.

(2) The Government in the Industries Department may by a notification in the official gazette declare a Saline area to be an open area or a reserved area. The Director shall divide and demarcate suitable plots out of the open area.

(3) When an area that has been declared as a saline area under rule 5, is subsequently declared to be no longer a saline area it shall stand re-transferred to the Government in the Revenue Department and the allotment made if any shall be deemed to have been cancelled.

7. *Invitation of applications for allotments.*—The Director shall call applications for allotment of plots in the open area for salt manufacture on lease hold basis, by publishing a notification in Form I in the official gazette or in some news paper, which in the opinion of the Director, has a sufficiently wide circulation so as to ensure wide publicity.

8. *Application for allotment.*—Any person (who is not a minor) or a society desirous of taking on lease any open area may submit an application to the officer-in-charge in Form II.

9. *Extent of area for allotment.*—The area to be allotted for the manufacture of salt shall ordinarily not exceed 150 acres. Provided that a minimum area shall in no case be less than 30 acres.

10. *Disposal of applications.*—(1) The Director shall enter or cause to be entered all applications received by him in a register to be maintained in Form III.

(2) The Director shall, after necessary scrutiny submit the applications to the Government in the Industries Department who shall subject to the provisions of these rules dispose them in such manner as it may deem fit.

(3) Except for reasons to be recorded in writing allotment shall be made on the basis of first come first served.

(4) Notwithstanding anything contained in these rules the Government may order that the lease of any open area or areas shall be given by auction.

11. *Application for allotment of same land by different Applicants on the same day and same time.*—

(1) Where two or more applications are received for allotment of the same land on the same day the applicant whose application is received earlier shall have a preferential right over other applicants. In case the applications are received on the same day and at the same time, the Government after taking into consideration the matters specified below, may allot the land to any one of the applicants, as it may deem fit.

(i) Past experience in manufacture of salt and/or salt trade.

(ii) Financial Soundness and Stability.

(iii) Technical qualifications.

(2) Notwithstanding anything contained in sub-rule (1), the Government, for any special reasons to be recorded in writing, may allot land to an applicant, whose application was received later.

Rule 12.

Conditions of allotment.—(1) The allotment shall be by way of lease for a period of ten years in the first instance, renewable at the option of the lessee for a further period of ten years. Provided that the lessee shall have to pay rent at such rates as may be in force at the time:

Provided however that during the period of first ten years the lessee may surrender the lease after giving notice in writing to the Government in the Revenue Department one year before the date with effect from which he intends to surrender the lease:

Provided further that the Government may terminate the lease if it is satisfied that the lessee is not utilising the land for the purpose for which it was leased out, after giving due opportunity to the lessee to show cause against the proposed termination of his lease. (The lease shall be renewed only if the Government is satisfied that the condition laid down in the original lease have been fulfilled).

(ii) The lessee shall be liable to pay rent at the rate of Rs. 15/- per acre per year or such rent as may be determined by Government from time to time. Provided that the rate of rent shall not alter during the period of lease.

(iii) The lessee shall within 15 days from the date of allotment order deposit under head 'IX-Land Revenue (J) Misc. 7 Misc. a sum calculated at the rate of Rs. 15/-per plot of 10 acres or part thereof, as demarcation cost of the Plot allotted to him

The lessee shall also within 15 days from the date of sanction deposit a sum equivalent to one year's rent (under head IX L and Revenue (J) Misc. 7 Misc.) as security for the due performance of the terms and conditions of the lease.

(iv) The lessee shall execute a lease deed in Form IV within thirty days from the date of sanction of lease.

(v) The possession of the area under the lease shall be given by the Director or an officer authorised by him within 15 days from the date of the sanction.

(vi) The rent shall be payable by the lessee in advance i.e. one month before the due date in each year.

(vii) The lessee shall not sublet, mortgage, sell, gift or in any other way alienate the area or any portion thereof without the prior permission, in writing, of the Government.

(viii) The area leased shall be used only for the purpose of manufacture of salt and its by-products and for no other purpose.

(ix) The lessee shall not undertake any work that may intend to damage or reduce the yield of salt from the leased area or destroy its future capacity for salt production.

(x) The lessee shall commence manufacture of salt on the leased area within six months of the date of delivery of Possession and shall see that the area does not remain idle for a continuous period of 12 months during the period of lease.

(xi) On any contravention of sub rule (iii), (iv), (vi), (viii), (ix), (x) above, the Director may determine the lease and recover possession of the area so allotted:

Provided that no such action by the Director shall be taken unless the lessee has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him. The Government can also determine the lease in case of mis-management, by giving one month's notice. The lease can also be determined at any time during its currency if the area is required for public purpose or national interest.

13. If the lessee fails to pay the amount due within one month from the date on which it falls due for payment, interest at the rate of twelve percent per annum shall be charged on the amount in arrears from due date till the amount is paid.

14. If the amount due together with interest thereon be not paid within two months from the due date, or such further period not exceeding six months as the Director may allow, or if the lessee commits a breach of any of the conditions annexed to the lease, the Director may after giving an opportunity to the lessee to be heard, determine the lease; and

- (a) Resume the possession of the area;
- (b) forfeit the security deposits; and
- (c) recover the dues as arrears of land revenue under the Rajasthan Land Revenue Act, 1956 (Act No.5 of 1956).

15. *Intimation of lease.*—Intimation of all leases granted under these rules shall be sent by the Director to the Salt Commissioner, Government of India, the Collector and the Tehsildar of the area concerned, as also to the Secretary to the Government in the Industries Department, Rajasthan.

16. *Licence for manufacture.*—It shall be obligatory for the lessee to commence manufacture of salt only after obtaining a licence from the Salt Commissioner, Government of India and to keep the same renewed for the period for which the lease is granted.

17. *Return and inspections.*—Every lessee shall submit periodical returns and statements in such forms and other returns of statements as the Director may, from time to time, require and all accounts and registers of the lessee shall be open to inspection by the Director, the officer-in-charge or any other person authorised by the Director, in this behalf.

18. *Director's Report.*—An annual report in regard to allotment of saline areas and manufacture of salt by the lessees shall be submitted by the Director to the Government.

19. *Appeal.*—(1) An appeal against the order passed by the Director under Rule 13 above shall lie to the Secretary to the Government in the Industries Department who may, pending decision of the appeal issue provisional orders staying execution of the order passed by the Director; and

(2) Every appeal preferred under this Rule must be presented within thirty days of the order appealed against in a stamped paper worth Rs. 5/-

20. *Interpretation of Rules.*—If any difficulty arises in the application or interpretation of any of these rules, it shall be decided by the State Government whose decision thereon shall be final.

21. *Repeal and saving.*—The Rajasthan Land Revenue (Saline areas allotment) Rules, 1962 and all rules and orders corresponding to these rules in force immediately before the commencement of these rules are hereby repealed Provided that any order made or action taken under the rules or orders so

repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

फार्म नं० 1

निदेशालय, उद्योग एवं नागरिक रसद विभाग, राजस्थान, जयपुर

क्रमांक

दिनांक

विज्ञप्ति

राजस्थान लैंड रेवेन्यू (सैनाइन एरिया अलाटमेन्ट) नियम 1970 की धारा 7 के अन्तर्गत सर्व साधारण व्यक्तियों को सूचित किया जाता है कि ग्राम.....तहसील जिला..... स्थित लवण क्षेत्र जो राज्य विज्ञप्ति क्रमांक दिनांक अनुसार लवण क्षेत्र घोषित किया जा चुका है, को आवंटन हेतु इस विज्ञप्ति के द्वारा ओपन क्षेत्र घोषित किया जाता है।

इस क्षेत्र में लवण उत्पादन हेतु भू-खण्डों के आवंटन के लिए इच्छुक व्यक्ति/संस्थाएँ अपने प्रार्थना-पत्र निर्धारित प्रपत्र में भरकर निम्न हस्ताक्षर कर्ता के कार्यालय में स्वयं उपस्थित होकर या डाक द्वारा प्रस्तुत कर सकते हैं। प्रार्थना-पत्र इस विज्ञप्ति के छपने की तारीख से प्राप्त किये जायेंगे।

फार्म नं. II

लवण क्षेत्र में.....में आवंटन हेतु प्रार्थना-पत्र

प्रेषित

संचालक,

उद्योग एवं नागरिक रसद विभाग,

राजस्थान, जयपुर।

महोदय,

आपके विज्ञापन सं. दिनांक के क्रम में प्रार्थी को कृपया लवण क्षेत्र तहसील जिला में एकड़ भू-भाग लवण उत्पादन हेतु आवंटन करने का कष्ट करें। इस सम्बन्ध में प्रार्थी निम्नांकित सूचना आपके भवलोका-नार्थ पेश कर रहा है/रहे है।

1. प्रार्थी का नाम य पता

यदि सहकारी समिति है तो उसकी पंजीन सं.,-

उप नियमों की प्रति, सदस्य सं. व प्रस्ताव की प्रति संलग्न करें)

2. प्रार्थी की आयु व वर्तमान व्यवसाय

3. प्रार्थी की आर्थिक स्थिति सम्बन्धी प्रमाण-पत्र

4. यदि प्रार्थना-पत्र भागीदार की फर्म की ओर से है तो समस्त भागीदारों के नाम आयु दशायें साथ में भागीदारी सं. नवीनीकरण की प्रतिनिधि

5. लवण उत्पादन सम्बन्धित अनुभव व लवण व्यवसाय सम्बन्धित अनुभव हो तो उसका विवरण

6. यदि प्रार्थी को या किसी भी भागीदार को अन्य लवण क्षेत्र में भूमि का आवंटन हो तो उसका विवरण

7. आवंटन हेतु चाहे गये भू-भाग का विवरण समरा नं., प्लॉट नं. क्षेत्रफल।

मैं प्रमाणित करता हूँ कि उपरोक्त दी गई समस्त सूचना मेरी जानकारी के अनुसार सही हैं व मुझे/हमें लवण क्षेत्रों के आवंटन सम्बन्धित सभी शर्तें व नियम मंजूर है।

प्रार्थी के हस्ताक्षर

दिनांक.....

स्थान.....

FORM NO. III

Proforma of the Register in which applications for allotment of Salt Areas are being entered according to serial number

S No.	Name and address of the applicant	Date & time of the receipt of applications	Situation and boundaries of area applied for	Remarks.
1	2	3	4	5

FORM IV

Lease Deed (Rule 11 (IV))

This Lease is made the.....day of.....between the Governor of the State of Rajasthan (hereinafter called the "Lessor" which expression shall unless excluded by or repugnant to the context include his successors in Office and permitted assigns) of the one part and Shri.

S/o R/o (hereinafter called the "lessee" which expression shall unless excluded by or repugnant to the context, include his heirs, successors, executors, administrators and assigns) of the other part.

Whereas the lessee has offered to take and the lessor has agreed to give on lease a plot of land measuring acre as situated in area in

Sub-division of District and more particularly described in the schedule hereto (hereinafter called the said plot) for the purpose of manufacturing salt thereon on the terms and conditions hereinafter appearing:—

Now this Indenture witnesses as follows :—

1. That the lessor has agreed to let and the lessee has agreed to take on lease the said plot for the period 10 years for the aforesaid purposes on rent hereinafter specified provided that if lessee wants to surrender the said plot before expiry of the lease, he shall have to inform the Director of Industries and Supplies, Rajasthan, Jaipur under registered notice before one year of the date, he wants to surrender the said plot. The lease shall be renewable for a further period of ten years at the option of the lessee.

2. That during the subsistence of this lease, the Lessee shall pay the rent of the said plot at the rate of Rs. 15/- (Rupees fifteen) per annum per acre or more as may be determined by

the Government from time to time as dead rent on the terms and conditions hereby agreed- Provided that the rate of dead rent shall not be increased during the period of a lease.

3. That the lessee shall pay the stipulated rent in advance one month before the due date every year.

4. The lessee shall not erect or build or permit to be erected or built any building or structures on the said plot.

5. That the lessee shall have no right to sublet, gift sell or otherwise transfer the land hereby leased or any portion thereof without the prior permission in writing of the Director of Industries and Supplies Department, Rajasthan, Jaipur.

6. That the area hereby leased shall be used only for the purpose of manufacturing salt and its by-products and for no other purpose.

7. That the lessee shall not do any act that may tend to damage or reduce the yield of salt from the leased area or destroy its future capacity for salt production.

8. That the lessee shall after obtaining licence start manufacturing salt within six months of the date of the allotment of the said plot and shall see that the allotted plot does not remain idle for a continuous period of 12 months during the period of lease.

9. That in case of breach of any of the conditions of this lease the lease shall stand determined and the said plot shall revert to the lessor and the lessee shall not be entitled to any compensation for premature determination of the lease.

10. That the lessee shall have to abide by the Rajasthan Land Revenue (Saline Areas Allotment) Rules, 1970 and all the rules and regulations issued from time to time in this behalf either by the State Government or the Central Government.

11. That the lessee shall manufacture salt the analysis of which will conform to the prescribed standard laid down by the Government of India for edible salt. If the salt manufactured is not of the prescribed standard, the same shall be disallowed to be sold by the lessor.

12. That the lessee shall submit such periodical returns and statements in such form and in such manner as the Director may require and all accounts and registers of the lessee shall be opened to inspection by the Director, the Joint Director or any other officer authorised in this behalf by the Director of Industries and Supplies, Rajasthan Jaipur.

13. That the lessee shall allow the Collector for the time being of the District within which the land is situated, the Director of Industries or persons authorised by them in this behalf to enter and inspect the denised land at all reasonable times.

14. The lessee shall at the expiration of the lease or sooner determination thereof, peacefully surrender to the lessor, the demised land and all improvements effected by the lessee shall become the property of the lessor without any liability to pay any compensation therefor.

15. The lessee shall pay the rent or other dues in such a manner and at such a place as the lessor may direct through Joint Director of Industries and Supplies, Rajasthan, Jaipur. If the lessee fails to pay the amount due within one month from the date on which it falls due for payment, interest at 12% per annum shall be charged on the amount being in arrears from the date of expiry on the said one month till the amount of arrears is paid off. If the amount together with such interest thereon as shall be due, be not paid within two months from the due date or such further period not exceeding six months as the lessor may allow or if the lessee commits any breach of the conditions of the lease, the lessor may after giving opportunity to the lessee of being heard, determine the lease and reenter the land without intervention of the Court, and recover the dues as arrears of land revenue.

16. That every difference, dispute or question touching or arising out of this deed or the subject matter thereof shall be referred to the Chief Secretary to the Government of Rajasthan, Jaipur whose decision shall be final and binding on the parties.

17. That the cost and expenses incidental to the preparation execution and registration of this lease including stamp duty shall be borne and paid by the lessee.

18. In witness whereof the parties hereto have put their respective hands on the dates mentioned against the signature.

Signed by the lessee.

Signed for and on
behalf of the Governor of the
State of Rajasthan,

Witness : 1

Witness : 1

Witness : 2

Witness : 2

[Pub. in Raj. Gaz. Ex. 4 (Ga) (I)—Dt. 20-3-70—Page 371 (6)]

**Rajasthan Land Revenue (Survey Record & Settlement)
(Government) Rules, 1957.**

Revenue (B) Department

Notification S. O. 77, dated October 31, 1969.—In exercise of the powers conferred by sub-section 26 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956), the State Government hereby makes the following rules to amend the Rajasthan Land Revenue (Survey Record & Settlement) (Government) Rules, 1957, namely :—

1. *Short title.*—These rules may be called the Rajasthan Land Revenue (Survey, Record & Settlement) (Government) (Amendment) Rules, 1969.

2. *Amendment of rule 21.*—In sub-rules (1) and (2) of rule 21 of the Rajasthan Land Revenue (Survey, Record and Settlement) (Government) Rules, 1957, for the words “estate holders”, the words “land holders” shall be substituted.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II) Dt. 25-12-69-Page 132]

Notification under

RAJASTHAN LAND REVENUE ACT, 1956.

Local Self Government Department

Notification No. F. 7(187) LSG/58/1548, dated January 25, 1968.—In exercise of the powers conferred by section 102-A of the Raj. Land Revenue Act, 1956 (Rajasthan Act 15 of 1956), the State Government hereby makes the following amendment to this Department Notification No. F. 7(187) LSG/58 dated 8-3-61 (as amended by this Department Notification of even number dated 15-9-66) namely;—

AMENDMENT

In item (i) of the 5th paragraph of condition No. 2 of the aforesaid Notification, for the words “but the price charged shall be the market value of the plots in the area which may be determined in accordance with the rules”, the following shall be substituted, namely;—

“at the market value to be calculated keeping in view the following factors;—

(a) the prevailing price of land as ascertained from private sales during the past three years in that locality;

(b) appreciation and depreciation in the values of land in the locality;

(c) cost of improvement in the locality worked out by taking into account such items as levelling of land, construction of roads, electrification, water supply, drainage and sewage schemes, development of darks, and open places etc;

location and importance or otherwise of the site, i. e.

(i) sites situated in exceptionally good localities and fetching exceptionally high rents;

(ii) sites situated in good localities and fetching good rent;

(iii) sites situated in ordinary localities and fetching ordinary rents;

(iv) sites situated in bad localities and fetching low rents;

(v) sites situated in exceptionally backward localities and fetching very low rents;

(vi) sites situated along the main roads or corners sites or cross roads or situated in the interior of the locality; and

(e) purpose to which the land will be applied i. e. for residential purpose or commercial purpose or industrial purpose or public purpose such as, Government buildings, public parks, educational institutions, charitable institutions, places of worship etc.

Rules and Notifications under

**LEGAL ASSISTANCE (SCHEDULED CASTES & SCHEDULED
TRIBES) RULES, 1969.**

LEGAL ASSISTANCE (SCHEDULED CASTES AND SCHEDULED TRIBES) RULES, 1969.

SOCIAL WELFARE DEPARTMENT

Notification G.S.R. 111, dated January 22, 1970.—The Government of Rajasthan is hereby pleased to make the following rules for providing legal assistance to persons belonging to Scheduled Castes and Scheduled Tribes, namely:—

RULES

1. Title.—These rules shall be called the Legal Assistance (Scheduled Castes and Scheduled Tribes) Rules, 1969 and will come into force from the date of their first publication in the Rajasthan Rajpatra.

2. Definition.—(i) "Government" shall mean the Government of Rajasthan.

(ii) "Director" shall mean the Director of Social Welfare Department, Rajasthan.

(iii) "District Probation & Social Welfare Officer" shall mean an officer of Social Welfare Department appointed for the welfare of Scheduled Castes and Scheduled Tribes and for probation work under Probation of Offenders Act, 1958.

(iv) "Pleader" shall mean a pleader engaged under Rules 7 & 17 of the Rules.

(v) "Rules" shall mean Rules for Legal Assistance to the persons belonging to Scheduled Castes and Scheduled Tribes.

3. Eligibility for legal assistance.—The following are eligible for Legal Assistance:—

(a) A person belonging to Scheduled Caste as specified in the First Schedule of these rules :

(b) A person belonging to Schedule Tribes as specified in the Second Schedule of these rules :

Provided that monthly gross income of any such person does not exceed 200/- p m.

4. Cases in which legal assistance may be provided.—Legal assistance at the expense of the Government may be provided in the following cases:—

(a) Civil or revenue cases including execution proceedings in which the applicant is a party against any one not included in Schedule I and Schedule II.

(b) Criminal cases, in which the applicant is an accused against any one not included in Schedule I and II

(c) Criminal cases, in which the applicant is an accused against a person other than the State not included in Schedule I and II.

(d) Other proceedings before any court or public officer or arbitrator in which the applicant is a party and a pleader is permitted.

5. **Application for assistance**—An applicant for legal assistance under these rules, shall make an application in form given in the Schedule III attached to these rules to the Distt. Probation and Social Welfare Officer of the District.

6. **Disposal of application.**—The Distt. Probation and Social Welfare Officer, on receipt of an application after a summary enquiry to be finished within 16 days, shall pass orders on the application. The application shall not be granted unless he satisfies about the following:—

(a) The eligibility of the applicant under rule 3;

(b) Whether the case is covered by rule 4;

(c) Whether the case of applicant to be put before the court in prima facie a just one;

(d) Whether the applicant's financial position is such that he deserves assistance from the State funds; and

(e) Whether the fact mentioned in the application are correct.

(ii) If the application for grant of legal assistance is not granted, the copy of the order of rejection shall be furnished to the applicant within 15 days from the date of such order.

(iii) If an application is rejected under rule (6) (i) the applicant may appeal against such rejection to the Collector who shall pass such order as he thinks fit under the rules. Such an application shall be submitted within one month from date of communication of the order of the Distt. Probation and Social Welfare Officer.

(iv) The applicant shall be entitled to get, on demand a copy of the order of rejection under rule (6) (i) free of cost from the Distt. Probation and Social Welfare Officer.

7. **Appointment of Pleader.**—If the application is granted, the Distt. Probation and Social Welfare Officer shall send a copy of his order (in the proforma as in Schedule V attached to these rules) to the pleader to be appointed by him with the approval of the Collector and District Magistrate concerned at the earliest for each particular case. Where a pleader is appointed by Government under Rule 16 the Distt. Probation and Social Welfare Officer will send the copy of the order to such pleader. The applicant shall also be given a copy of an order free of cost.

8. **Engagements of Pleaders.**—(a) Pleaders, for appearing on behalf of a person receiving assistance under these rules shall ordinarily be members of Bar with a standing of atleast 5 years at the Bar.

(b) A list of such pleaders practising at Tehsil, Sub-division and District headquarters should be maintained by the District Probation & Social Welfare Officer.

(c) A pleader engaged under these rules separately for each case shall submit monthly information showing progress of the cases to the Distt. Probation & Social Welfare Officer. Services of a pleader will be discontinued if his work is not found satisfactory or if he is found guilty of professional misconduct.

9. **Fees of Pleaders.**—The fee, to be paid by the Government to the pleader to whom a case is allotted under these rules, shall be the legal taxable fee in civil cases and fees, in cases other than civil proceedings, shall be as fixed by the Collector and District Magistrate subject to the maximum of Rs. 100/- per case. The Collector may in civil cases as well as in criminal cases, fix a higher fee than legal taxable fee for special reason to be recorded in writing with the approval of the Government.

10. **Travelling expenses.**—A pleader, who has to proceed to a place other than his place of practice for the conduct of a case under these rules, shall be entitled to T. A. & D. A. at the rates as are admissible to a Government servant drawing pay up to Rs. 100/-p. m.

11. **Incidental Expenses.**—Expenses, incurred by or on behalf of the applicant to whom the State has agreed to give legal assistance under these rules, shall be payable by the State Government, if they are exclusively incurred in connection with the litigation in question on account of Court fees, plaint vakalatnama applications memorandum of appeal and similar papers to be filed in courts.

12. **Conduct of appeals.**—The Pleader, engaged to conduct the case shall be expected to appear, if necessary, in the court of first appeal without additional remuneration. But nothing in this rule shall be regarded as requiring him to appear before the High Court.

(b) No legal assistance for appeals shall be given unless Law Department agrees to the appeal being preferred or considers a pending appeal worth contesting.

13 **Agreement to be executed by persons assisted.**—(i) A person, whose application for legal assistance has been granted, shall be required by the Distt. Probation and Social Welfare Officer to execute an agreement in form given in Schedule VI to these rules, to the effect that :—

(a) If he receives any sum whether as costs, damages or otherwise or any property under the decree or orders of the court in the proceedings in respect of which he is to receive assistance as aforesaid, he shall repay to the Government the expenses incurred by the Government by way of assistance including engagement of pleader and other incidental expenses incurred under rule 11 not exceeding the sum or value of the property received under the decree or order.

(b) If the grant of assistance is cancelled under rule 14 he shall repay the whole of expenses incurred by the Government.

(c) If the person receiving legal assistance refuses or fails to repay the money mentioned in sub-paras (a) and (b) above, it shall be recoverable under the Rajasthan Public Demands Recovery Act, 1952.

(ti) The pleader appointed to appear for such persons should pay the stamps duty leviable in respect of the agreement and include the amount thereof in the bill of fees and other expenses submitted by him under rule 15.

14. **Cancellation of assistance.**—(a) The Distt. Probation & Social Welfare Officer may cancel the grant of assistance under these rules to any

person, if after giving such person an opportunity of hearing he is satisfied that such person—

(i) has within two months before he asked for legal assistance, disposed of any property fraudulantly or in order to be able to seek assistance, or

(ii) has entered into an agreement with reference to the subject matter of suit under which any other person has obtained an interest in such subject matter, or

(iii) does not take any active interest in the proceedings or does not prosecute them with due diligence, or

(iv) has made a compromise on the subject matter out of court without consulting the Social Welfare Department.

(b) A cancellation of assistance under sub-rule (a) shall forthwith be communicated to the pleader concerned and no further expenses to be incurred by him (whether as T. A. or as money paid for the court fees) or by the party shall be paid by the State Government provided that no order under this section shall be made without notice to the party concerned.

Note :—(1) The fees paid by the State to the pleader will be recovered from the party under rule 13.

(2) A copy of every order of cancellation under this rule should be sent to the Collector.

(c) If the grant of assistance is Cancelled under Rule 14 (a) the applicant may appeal against such cancellation to the Collector who may pass such orders as he thinks fit under the rules. Such an application shall be submitted within one month from the date of communication of the order of the District Probation & Social Welfare Officer.

15. Payment of Bills.—(a) A pleader engaged under rule 7 shall send his bill to the Distt. Probation and Social Welfare Officer showing separately the following :—

(i) Date of decision and result of the case.

(ii) Fees settled under rule 9 (in case of legal taxable fees, a memo of costs to be obtained from the court should be attached. A copy of the order of the Distt. Probation and Social Welfare Officer under rule 7 should be attached in all cases).

(iii) Travelling expenses claimed under rule 10 a memo by the pleader about the dates of journeys and days of halt and the details of the expenses duly countersigned by the authorities who ask him to undertake the journey will be sufficient. It will not be necessary to prepare T.A. bill in the form Prescribed for Government servants.

(iv) Incidental expenses claimed under rule 11, a memo signed by the pleader specifying the kind of document filed and the fee paid thereon will be sufficient.

(v) In special cases the Collector may sanction payment of fees in advance that should not be more than 40% of the total fee to the pleader on the recommendation of the Distt. Probation & Social Welfare Officer.

(b) Separate bill will be prepared by the pleader for each Case and presented to the Distt. Probation and Social Welfare Officer who will draw the money from the Treasury concerned from time to time for making payment of such bills which are to be appropriated under Heads of grants allotted for this purpose.

(c) The detailed accounts of expenditure incurred under these rules will be accounted for by the Drawing and Disbursing Officer concerned.

(d) The Drawing and Disbursing Officer shall send to the Director of Social Welfare Department on 1st of July, October, June and April of each year statement showing separately for :—

- (a) Civil cases
- (b) Revenue cases
- (c) Criminal cases and
- (d) Miscellaneous cases

in which legal assistance is rendered, the amount of assistance rendered, the brief particulars of the case and the result of the litigation,

16. **Pleaders appointed on monthly remuneration.**—Government may appoint pleaders to act and plead under these rules on a monthly remuneration for a particular area or for a particular court. In such cases the Distt. Probation and Social Welfare Officer should send a copy of his order, under rule 7 to such pleaders. In respect of matters other than monthly remuneration, such pleaders will be governed by these rules and shall be entitled to T.A & incidental expenditure etc. in accordance with rule 10 and 11 respectively.

17. **Legal assistance in pending cases**—Legal assistance admissible under these rules may be granted even in cases pending during the current financial year in respect of which the applicant satisfies the Collector through the Distt. Probation and Social Welfare Officer or otherwise that he has incurred expenditure in connection therewith and has had no time for or was unable for other valid reasons from making an application before the commencement of the case.

18. These rules will supersede the rules issued vide Notification No. F. 10 (7) 35) Pl. SW/58. dated 19-12-56 for providing Legal Assistance to persons belonging to Scheduled Castes and Scheduled Tribes.

19. Cases of Legal Assistance sanctioned under these rules will continue to be governed by them until their final disposal.

SCHEDULE 1

List of Scheduled Castes

1. Throughout the State except Ajmer District, Abu Area of Sirohi District and Sunel Area of Jhalawar District :—

- | | |
|--------------------|----------------------|
| 1. Adi Dharmi | 28. Jingar |
| 2. Aheri | 29. Kalbelia |
| 3. Badi | 30. Kamad or Kamadia |
| 4. Bagri | 31. Kanjar |
| 5. Bairwa or Berwr | 32. Chapadia Sansi |
| 6. Raigar | 33. Khengar |
| 7. Balai | 34. Koli or Kori |

- | | |
|---|-----------------------|
| 8. Bansphor | 35. Khatik |
| 9. Bargi, Vargi or Birgi | 36. Kooch Band |
| 10. Bawaria | 37. Koria |
| 11. Bedia or Beria | 38. Kanja. |
| 12. Bhand | 39. Madari or Bazigar |
| 13. Bhangi | 40. Majhabhi |
| 14. Bisakia | 41. Megh or Meghwal |
| 15. Bola | 42. Mehar |
| 16. Chamar, Bhambhi, Jotav, Jatia, Mochi, Raidass, Raigar or Ramdasia | 43. Mehta |
| | 44. Nut |
| | 45. Pasi |
| 17. Chandal | 46. Rawal |
| 18. Chura | 47. Salvi |
| 19. Dabgar | 48. Sansi |
| 20. Dhandia | 49. Santia |
| 21. Dheda | 50. Sarbhagi |
| 22. Dome | 51. Sargara |
| 23. Gandia | 52. Singiwala |
| 24. Garancha Mehtar or Gencha | 53. Thori or Nayak |
| 25. Garo, Garura or Gurda | 54. Tirgar |
| 26. Cavardia | 55. Valmiki |
| 27. Godhi | |

II In Ajmer District.

- | | |
|--|-----------------|
| 1. Aheri | 20. Kabirpanthi |
| 2. Bagri | 21. Kalbohia |
| 3. Balai | 22. Khangar |
| 4. Bambi | 23. Khatik |
| 5. Bansphod | 24. Koli |
| 6. Baori | 25. Koria |
| 7. Bargi | 26. Kuchband |
| 8. Bazigar | 27. Mahar |
| 9. Bhangi | 28. Meghwal |
| 10. Bidakia | 29. Nat |
| 11. Chamar, Jatava, Jatia, Mochi or Raigar | 30. Pasi |
| 12. Dohgar | 31. Rawal |
| 13. Dhanak | 32. Sarbhangi |
| 14. Dhed | 33. Sargara |
| 15. Dhobi | 34. Satia |
| 16. Dholi | 35. Thori |
| 17. Dom | 36. Tirgar |
| 18. Geroda | 37. Kanjar |
| 19. Gancha | 38. Sansi |

III. In Abu Area of Sirohi District.

1. Ager
2. Bakad or Bant

3. Bhambi, Bhambhi, Asadaru, Asodi, Chamadia, Chamar, Chambhar, Ch-
amgar, Haralayya, Harali, Khalpa, Machigar, Mochiga Mader, Madig,
Telegu. Moohi, Kamati, Mochi, Bhigar, Rohidas, Rohit, or Ramgar.
4. Bhargi, Mehtar, Olgana, Rukhi, Malkana, Halakhor.
5. Chalvadi or Channaya
6. Chenna, Dasar or Holaya Desar
7. Dhor, Kakkayya or Kankayya
8. Garoda
9. Halleer
10. Holder or Valhar
11. Halsar, Haslar Hulasvar
12. Holaya or Holor
13. Lingadar
14. Mahar, Taral or Dhegu Negu
15. Mahyvaanshi, Dhed, Vankar or
16. Mang, Matang or Minimadig
17. Mnag-Graudi
18. Meghval or Menghavar
19. Mukri
20. Nadia or Hadi
21. Pasi
22. Shenuva, Chenva, Sedma or Rawat
23. Tirgar or Terbanda
24. Turi

IV. In Sunel Area of Jhalawar District.

- | | |
|----------------------------------|-----------------------------|
| 1. Bagri or Bagdi | 14. Kanjar |
| 2. Balai | 15. Kumatik |
| 3. Banchada | 16. Koli or Kori |
| 4. Barahar or Basod | 17. Kotwal |
| 5. Barghunda | 18. Mahar |
| 6. Badia | 19. Mang or Mang Garodi |
| 7. Bhangi or Mahtar | 20. Meghwal |
| 8. Bhanumati | 21. Nat, Kalbelia or Sapera |
| 9. Chamar, Bairwa, Bhami, Jatava | 22. Pardhi |
| 10. Chidar | 23. Pasi |
| 11. Dhanuk | 24. Sansi |
| 12. Dhed | 25. Zamral |
| 13. Dom | |

SCHEDULE II

1. Throughout the State except Ajmer District, Abu Area of Sirohi District and Sunel Area of Jhalawar District.

1. Bhil
2. Bhil Mina
3. Damor, Demaria
4. Garasia (excluding Rajput Garasia).

5. Mina
6. Sehria, Sehriya

II. In Ajmer District.

1. Bhil
2. Bhil Mina

III In Abu Area of Sirohi District

1. Barda
2. Bavadhea or Bamcha
3. Bhil including Bhil Garasia, Dholi Bhil, Dungari Bhil, Dungari Garasia Mewasi, Bhil, Rawal Bhil, Tadvi Bhil, Bhagalia, Bnilala Pawara, Vssava and Vasava
4. Ghodhara
5. Dhanka including Tadvi, Tetaria and Valvi
6. Dhodia
7. Dubla inncluding Talavia or Halpati
8. Gamit or Gamta or Gaviti including Marchi, Tadvi, Vasava, Vasava and Valvi
9. Gond or Rajgond
10. Kathodi or Kathari including Dhor Kathodia or hot Katheri and Son Kathadi or Son Kathari
11. Kokna, Kokni
12. Koli, Dhor, Tokpe Koli, Kolcha or Kolgha
13. Naikda or Nnyaka including Cholivala Nayaka, Kayadia Navaka, Mota Nayaka and Nana Nayaka
14. Pardhi including Advichinohor and Pnanse Pardhi
15. Patelia
16. Pomla
17. Ratnawa
18. Varli
19. Vitolia, Kotwalia or Barodia

IV. In Suhel Area of Jhalawar District

1. Gond
2. Korku
3. Seharia

SCHEDULE III

Application form for the Grant of Legal Assistance

To,

The District Probation and Social Welfare Officer,

Sir,

I son of of the Village
 Tehsil District submit the following for
 your consideration and grant of legal assistance-

(I) I am a party as
 (Accused/Complainant/Plaintiff/Respondent)

in (case No. and year), I, desire to file
 against in the court of (Name and place of the Court)

(2) I am not a party against the State or the member of Scheduled Castes and Scheduled Tribes.

(3) The grounds for my application / appeal / petition / plaint / complaint / defence are given in the Statement appended with this application (given full particulars of the case.)

(4) I am a member of the Scheduled Tribes/Castes. The certificate to this effect is enclosed.

(5) I own the following property :—

(a) House..... (given number) :

(i) Pucca,

(ii) Kuchcha.

Situated at

(b) land in acres.

(i) Irrigated

(ii) Un-irrigated.

situated at.....

(c) Cattle and sheep.

(d) Other property (if any).

(6) The total annual income from all the source comes to Rs..... per annum (enclose a certificate to this effect duly signed by Tehsildar).

(7) I have to support the following (Give details regarding the relations of persons to be supported).

(8) I have no means to incur expenditure of the case and do hereby apply for legal assistance.

The legal assistance may kindly be granted to me as admissible under the rules.

Signature,

The above is a true statement of fact

SCHEDULE IV

Schedule for scrutiny report

I have made necessary verification and enquiries as required under the rules and submit the following report :—

1. The applicant, Shri..... S/o..... is by caste, which is included in the the list of Scheduled Castes/Scheduled Tribes given in Schedule I/Schedule II.

2. The case of the applicant is covered under rule 4. The brief particulars of the case are as under :—

3. The case of the applicant to be put before the court/pending before the court is *prima facie* a just one.

4. The applicant's financial position is such that he deserves assistance from the State funds. I have verified his financial position from the following documents :—

5. Other particulars of the case are as under :—

I enclose herewith an original application submitted by the applicant and recommend that applicant may be/may not be granted financial assistance under rules for legal assistance.

*Signature and Designation of
the forwarding Officer*

SCHEDULE V

Order of Sanction

Office Order

Sanction is hereby accorded for appointment of Shri.....
a pleader to appear in the court of.....
and plead the case of Shri.....S/o.....
R/o Village.....Tehsil.....District.....
accused/petitioner under section

Shri..... shall execute an agreement in form given in
Schedule VI to the rules for legal assistance for Scheduled Castes/Scheduled
Tribes within 15 days from the receipt of this order and shall furnish the
same to

Shri....., pleader, appointed to appear for the
applicant mentioned to above shall pay the stamp duty leviable in respect of
the agreement and include the amount thereon in the bill of fees and other
expenses to be submitted by him under rule 13.

Shri....., pleader, shall furnish the progress
report of the case every month to this office.

Distt. Probation and
Social Welfare Officer.

SCHEDULE VI

AN AGREEMENT made the..... day of..... 19
between the Governor of the State of Rajasthan (hereinafter called "the
Government") of the one part andson of.....
belonging to Scheduled Castes/Tribes resident of
(hereinafter called "the litigant" which expression shall include his heirs,
legal representatives and assigns) of the second part;

WHEREAS the litigant has been advised to file.....
against in the court of..... at..... for the
vindication of his rights;

WHEREAS the litigant is a party as..... in the case
Vs in the court of..... at.....
and has a right and just cause to pursue in the courts of law;

WHEREAS the litigant as no means to pursue and bear the expenses
of litigation;

WHEREAS the Government upon application of the litigant has ag-
reed to grant the litigant legal assistance under and in accordance with the
Legal Assistance (Schedule Castes and Tribes) Rules, 1969, as amended
from time to time, upon the conditions and considerations and hereinafter
appearing;

WITNESSETH I In consideration of the Government bearing the
expenses of litigation under and in accordance with the aforesaid rules,

the litigant does hereby agree with the Government that if he received any money by way of costs, damages, or otherwise or any property, under a decree or order of the court or officer in the aforesaid litigation proceedings in respect of which assistance will be given to them by the Government in accordance with the said rules, he shall pay to the Government the expenses incurred by the Government by way of such assistance including engagement of pleader and other incidental expenses under and in accordance with the said rules, not exceeding the money or value of the property so received.

Strike out whichever is not applicable.

2. It is further agreed between the parties hereto that the District Probation & Social Welfare Officer.... .. shall be entitled to cancel the grant of assistance at any time hereafter giving the litigant an opportunity of hearing, if it is discovered that :—

(i) the litigant has, within two months before he applied for legal assistance, disposed of any property fraudulently or in order to be able to seek assistance; or

(ii) has entered into an agreement with reference to the subject matter of the aforesaid litigation under which any other person has obtained an interest in such subject matter; or

(iii) does not take an active interest in the aforesaid proceeding or does not prosecute the same with the due diligence; or

(iv) has made a compromise on the subject matter of the said litigation out of the court without the consent of the District Probation & Social Welfare Officer.

And if the said Distt. Probation & Social Welfare Officer cancels the grant of such assistance the amount of the expenses incurred till then, shall forthwith be paid by the litigant to the Government in case he fails to submit an application of appeal against such cancellation to the Collector within one month from the date of communication of the order of Distt. Probation & Social Welfare Officer.

If the litigant fails to make payment as required in virtue of clause 1 and 2 contained above, the money spent towards legal Assistance by the Government shall be recovered as arrears of Public Demand under the Rajasthan Public Demands Recovery Act, 1952.

IN WITNESS WHEREOF the parties hereto have appended their signatures on the day and year first above written.

SIGNED

Signed by the Litigant.

For and on behalf of the Government of the State of Rajasthan.
in the presence of—

Witness.....(1)	Witness.....(1)
Witness.....(2)	Witness.....(2)

Rules and Notifications under

LEGISLATIVE ASSEMBLY (OFFICERS AND MEMBERS EMOLU-
MENTS) ACT, 1952 AND 1957 THE RAJASTHAN
(15 OF 1952 AND 6 OF 1957).

**Rajasthan Government Chief Whip (Facilities and Amenities)
Rules, 1969.**

Law Department

Notification G.S.R. 106, dated November 25, 1969.—In exercise of the powers conferred by sub-section (1) of section 11 of the Rajasthan Legislative Assembly (Officers and Members Emoluments) Act, 1956, the Governor is pleased to make the following amendments to the Rajasthan Government Chief whip (Facilities and Amenities) Rules, 1969, namely :—

AMENDMENTS

After rule 2 of the Rajasthan Government Chief Whip (Facilities and Amenities) Rules, 1969, the following rule shall be inserted, namely :—

“3. These rules shall be deemed to have come into force from the date the Rajasthan Legislative Assembly (Officers and members Emoluments) (Amendment) Act, 1969 (Act 7 of 1969) came into force.”

[Pub. in Raj. Gaz. Ex. 4 (Ga)(i) Dt. 1-1-70 Page 229]

**Rajasthan Legislative Assembly Members (Medical Facilities)
Rules, 1964.**

LAW (A) DEPARTMENT

Notification No. F. 3 (2)-L-/64, dated July 2, 1968.—In exercise of the powers conferred by clause (e) of sub-section (2) of section 11 of the Rajasthan Legislative Assembly (Officers and Members Emoluments) Act, 1956 (Rajasthan Act No. 6 of 1957), the State Government hereby makes the following amendment to the Rajasthan Legislative Assembly Members (Medical Facilities) Rules, 1964, namely :—

AMENDMENT

In sub-clause (v) of clause (h) of Rule 2 of the Rajasthan Services (Medical Attendance) Rules, 1958, as made applicable to the Members of the Rajasthan Legislative Assembly by sub-rule 2 of the Rajasthan Legislative Assembly Members (Medical Facilities) Rules, 1964, the words “or any Deluxe Ward which-ever may be available”, shall be inserted between the expression “more than 2 beds” and the “full stop”, and shall always be deemed to have been so inserted.

[Pub. in Raj. Gaz. Ex. 4 (Ga) —Dt. 3-7-68]

Rajasthan Legislative Assembly Officers (Concession on account of Electricity and Water) Rules, 1965.

Law (A) Department

Notification No F 3 (1). L/65, dated April 17, 1968.—In exercise of the powers conferred by section 6A of the Rajasthan Legislative Assembly (Officers and Members Emoluments) Act, 1956 (Rajasthan Act 6 of 1957), the Governor of Rajasthan hereby makes the following amendment to the Rajasthan Legislative Assembly Officers (Concessions on account of Electricity and Water) Rules, 1965, namely :—

AMENDMENT

At the end of the existing rule 2 of the said Rules, the punctuation mark “.” shall be substituted by the punctuation mark “;” and thereafter the following proviso shall be added, namely :—

“Provided that such payment shall not exceed the limits specified below :—

S. No. 1	Place of residence 2	Electricity 3	Water. 4
1.	An Officer	1,800/- per annum	Rs. 900/- per annum

[Pub, in Raj. Gaz. Ex. 4 (Ga) -Dt. 17-4-68 Page 27]

The Rajasthan Legislative Assembly Members (Free Railway Travelling Facilities) Rules, 1970

Law Department

Notification G.S.R 107, dated June 12, 1970.—In exercise of the powers conferred by section 11 read with section 8B of the Rajasthan Legislative Assembly (Officers and Members Emoluments) Act, 1956 (Rajasthan rules, namely :—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Legislative Assembly Members (Free Railway Travelling Facilities) Act 6 of 1957), the State Government hereby makes the following Rules, 1970.

(2) They shall come into force at once.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context :—

(a) "Act" means the Rajasthan Legislative Assembly (Officers and Members Emoluments) Act, 1956 (Rajasthan Act 6 of 1957),

(b) Assembly means the Rajasthan Legislative Assembly;

(c) "Secretary" means the Secretary to the Assembly.

3. *Free rail travel facility to be provided.*—Every member shall be provided by the Secretary with free non transferable first class rail travel coupons entitling the member to obtain in lieu thereof first class railway tickets for travelling throughout the territory of India at any time and by any Indian Railway subject to the distance limit laid down in section 8B of the Act.

4. *Arrangement for coupons.*—The necessary arrangements for the requisition of coupons from the Railway Administration, for the issue of coupons to the members and for the refund of unused coupons to the railway Administration shall be made by the Secretary.

5. *Requisition for rail travel coupons.*—(1) The requisition for rail travel coupons shall be made by the Secretary on the General Manager, Western Railway, Bombay.

(2) On receipt of such a requisition, the said Railway Administration will supply first class rail travel coupons books which can be used for travel throughout the territory of India on any Indian Railway by the members of the Assembly and raise the necessary debit against the Rajasthan State Government.

6. *Distances for which rail travel coupons books will be available.*—(1) Travel coupons will be available in books for aggregate distance of 500 kilo-metres, 1000 kilo metre, 1500 kilo-metres and 2000 kilo-metres as shown below :—

(a)	80 coupons of 5 kms. each	
	100 coupons of 1 km. each	.... 500 kms.
(b)	50 coupons of 10 kms. each	
	19 coupons of 5 kms. each	.... 1,000 kms.
	100 coupons of 1 km. each	
(c)	20 coupons of 5 kms. each	
	50 coupons of 10 kms. each	
	80 coupons of 5 kms. each	.... 1,500 kms.
	100 coupons of 1 km. each	
(d)	10 coupons of 50 kms. each	
	20 coupons of 25 kms. each	
	50 coupons of 10 kms. each	.... 2,000 kms.
	80 coupons of 5 kms. each	
	100 coupons of 1 km. each	

(2) Each coupon book will be numbered with the book number and the coupon-number in serial order.

7. *Availability of coupon book.*—A coupon book can be issued from any date and it shall be valid for six months from the date of issue.

8. *Coupons not transferable.*—(1) The coupons shall not be transferable and shall be used only for journeys by the person in whose favour they are issued.

(2) In the event of the person ceasing to be a member of the Assembly, the coupon book shall be returned by him to the Secretary.

9. *Issue of coupons.*—(1) The coupons shall be issued to a member by the Secretary. At a time a member shall not be issued coupons for more than 2,500 kilo metres. Fresh coupons shall be issued to a member after the Secretary is satisfied that coupons previously issued to such member have been used by him or returned by him to the Secretary under the next following sub-rule.

(2) All unused coupons shall be returned by a member to the Secretary at least 15 days before the expiry of the period of their validity.

10. *Form of certificate.*—Each coupon book will contain the following certificate :—

"I hereby certify that Shri/Shrimati/Kumari is member of the Rajasthan Legislative Assembly and tickets may be issued in exchange of the rail travel coupons for journeys to be undertaken by him/her throughout the territory of India.

Seal

Secretary to Rajasthan
Legislative Assembly"

11. *Availability*.—A coupon book will be available for use only by the member whose name is specified on the coupon book. The name of the member concerned should be filled in by the Secretary before the book is issued by him to the member.

12. *Undertaking by member*.—The member using the coupon book shall fill in an undertaking in the following form which will be printed on the cover of every coupon book :—

"I,.....hereby declare that the concession will be used by me for journeys undertaken to throughout the territory of India and admissible to me under section 8 B of the Rajasthan Legislative Assembly (Officers and Members Emoluments) Act, 1956 and the rules framed thereunder.

Signature of the Member"

The said undertaking shall be got filled before the book is handed over to the member by the Secretary.

13. *Method of purchasing tickets with coupons*.—(1) The coupon book shall be presented by the member undertaking the journey to the Booking clerk without detaching any coupon from the book. Loose coupons i. e. coupons detached from the book will not be accepted in any circumstances.

(2) The Booking clerk will personally remove from the book the number of coupons necessary for the journey. To guard against impersonation, the Booking clerk may ask the holder of the coupon book to show his identity card and to write his/her signature on a paper to piece of a compare it with the signature in the coupons book. In cases, where coupons in excess of those actually required are detached from a coupon book by a Booking clerk, a suitable remark shall be made by the Booking clerk on the back of the coupon 'wrongly detached' and such loose coupons shall be accepted when presented for the issue of a ticket, provided:—

(a) the coupon book form which the coupons have been detached, is produced, and

(b) the period of validity of the coupon book has not expired.

(3) In exchange for the coupon, the Booking clerk will issue single journey ticket, as may be required, scoring out the fare printed thereon and writing on the reverse of the ticket in red ink the words "R. T. Coupons for members only".

Explanation :—If rail travel coupons from two different books issued in favour of the same member are presented for issue of tickets, they shall be accepted.

14. *Identity of Member*—A member when travelling with the ticket issued to him under rule 13 shall keep with him his identity card containing his photograph duly attested by the

Secretary and produce the same when demanded by the Railway Authorities.

15. *Availability of tickets issued on rail travel coupons.*—The date and period of availability of the tickets will be the same as for ordinary tickets.

16. *Pilgrim and terminal taxes.*—When issuing tickets in exchange for rail travel coupons for journey to and from stations and at which pilgrim or terminal taxes are leviable, the pilgrim or terminal taxes must be collected in cash from the person presenting the coupon. The amount of the tax so collected must be entered on the face of the tickets.

17. *Luggage.*—Free allowance of luggage as for ordinary tickets will be allowed. Excess over the free allowance will be charged at luggage rates and the amount recovered in cash.

18. *Unexchanged Coupons.*—Members found travelling on unexchanged coupons will be considered as travelling without ticket and will be liable to the penalties prescribed in any Law for the time being in force. In such cases, fares and excess charges shall be paid in cash.

19. *Use of coupons.*—The use of coupons is limited to exchange for passenger tickets at a Booking Office for journeys throughout the territory of India. Coupons cannot in any circumstances be accepted towards payment of any other charges such as luggage charges and the like.

20. *Confiscation of coupons.*—The Railway Administration which issued a coupon book may confiscate it on proof that the conditions on which it has been issued have not been observed. Before doing so, it should refer the matter to the Secretary and obtain his approval for such confiscation.

21. *Refunds.*—No refund will be allowed on unused coupons unless the unused coupons are returned to the Railway Administration within their period of validity. Refunds will not be granted on unused or partly used tickets issued in exchange for coupons except in exceptional circumstances.

22. *Travel in air-conditioned class.*—Where a member chooses to travel in air-conditioned first class, he shall himself bear the difference in the railway fare between the first class and air-conditioned class.

23. *Alternative facility.*—A member may on account of nonavailability of the coupons certified by the Secretary, claim travelling allowance to the extent of first class fare in respect of journeys actually performed by him throughout the territory of India subject to the distance limit provided in section 8B of the Act.

24. *Price of coupon-book.*—Price of coupons book shall be charged at the rate at which coupon books are issued by the Railway Administration.

Rules and Notifications under

LOCAL FUND AUDIT ACT, 1954.
THE RAJASTHAN (28 OF 1954).

Rajasthan Local Fund Audit Act, 1954.

**FINANCE DEPARTMENT ACCOUNTS AND
INVESTMENT SECTION**

Notification No. F. 11(63)FD/A&I/63, dated May 29, 1968.—

In exercise of the powers conferred by section 4 of the Rajasthan Local Fund Audit Act, 1954 (Act No. XXVIII of 1954), the State Government hereby makes the following amendment in this department Notification No. D. 11 6032/F 16 (4) F (AA) 55, dated the 16th January, 1967, namely :—

AMENDMENT

Item No. 17 to 19 and 21 in the said Notification may be deleted.

[Pub. in Raj. Gaz. 4 (Ga).—Dt. 13-6-68—Page 75]

Rules and Notifications under
MATERNITY BENEFIT ACT, 1953.
THE RAJASTHAN (27 OF 1953).

RAJASTHAN MATERNITY BENEFIT RULES, 1967.

Labour and Employment Department

Notification G.S.R. No. 80, dated March 25, 1968.—In exercise of the powers conferred by section 28 of the Maternity Benefit Act, 1961 (Central Act 53 of 1961), the State Government hereby makes the following Rules, the same having been previously published in the Rajasthan Gazette, Extraordinary, Part III B, dated the 27th March, 1967, as required under sub-section (1) of section 28 of the said Act, namely:—

1. **Short title and Commencement.**—(1) These rules may be called the Rajasthan Maternity Benefit Rules, 1967.

(2) They shall come into force on such date as the State Government may by notification in the Official Gazette, appoint in this behalf and from such date the Rajasthan Maternity Benefit Rules, 1954, shall stand superseded.

2. **Definitions.**—In these rules, unless the context otherwise requires—

(a) “Act” means the Maternity Benefit Act, 1961 (Central Act 53 of 1961);

(b) “Competent Authority” means the Chief Inspector of Factories and Boilers, Rajasthan;

(c) “Form” means a form appended to these rules;

(d) “Muster Roll” means a muster roll maintained under Rule 3;

(e) “Registered Medical Practitioner” means a medical practitioner whose name has been enrolled in a register maintained under any law for the time being in force regulating the registration of practitioners of medicine;

(f) “Section” means a section of the Act;

(g) All other words and expressions used hereinafter but not defined herein shall have the same meaning as respectively assigned to them in the Act.

3. **Muster Roll**—(1) The employer of every factory in which women are employed shall prepare and maintain a muster roll in Form “A” and shall enter therein particulars of all women workers in the factory.

(2) All entries in the Muster roll shall be made in ink and maintained up-to-date and it shall always be available for inspection by the Inspector during working hours.

(3) The employer may enter in the muster roll such other particulars as may be required for any other purpose of the Act.

4. **Proof.**—(1) The fact that women is pregnant or has been delivered of a child or has undergone miscarriage or is suffering from

illness arising out of pregnancy, delivery, premature birth of child or miscarriage shall be proved by the production of a certificate to that effect in Form B:—

- (a) from a medical officer of a Government Hospital or a dispensary maintained under the E. S. I. Scheme; or
- (b) from a Registered Medical practitioner.

(2) The fact that a woman has been confined may also be proved by the production of a certified extract from a birth register maintained under the provisions of any law for the time being in force or a certificate signed by a registered midwife.

(3) The fact that a woman has undergone miscarriage may also be proved by the production of a certificate signed by a registered midwife.

(4) The fact of death of a woman or a child may be proved by the production of a certificate to that effect in Form "C" from any of the authorities referred to in sub-rule (1) or by the production of a certified extract from a death register maintained under the provisions of any law for the time being in force.

(5) The certificate from a registered midwife shall be in Form "D".

5. Payment of maternity and other benefit.—(1) A woman employed in a factory and entitled to maternity benefit shall give notice to her employer in Form "E" and the employer shall make payment of the maternity benefit and any other amount due under the Act to the woman concerned, or, in case of her death before receiving liable such maternity benefit or amount, or where the employer is for maternity benefit under the second proviso to sub-section (3) of section 5, to the person nominated by the woman in her notice in Form "E" and in case there is no such nominee to her legal representative.

(2) In case of doubt, the maternity benefit or other amount due to a woman employed in factory shall be deposited by the employer, within two months of the date of the woman concerned with the Competent Authority, who shall, after making necessary enquiries, pay it to the person who, in his opinion is entitled to receive it.

(3) Whenever the payment referred to in sub-rule (1) is made, a receipt shall be obtained by the employer in Form "F" from the person to whom the payment is made. In cases falling under sub-rule (2), a receipt shall be given to the employer by the Competent Authority.

(4) The medical Bonus shall be paid along with the second instalment of the maternity benefit.

(5) The maternity benefit or any other amount payable under section 7 shall be paid within two months of the date of death of the woman entitled to receive such benefit or amount.

(6) The wages payable under section 9 shall be paid to the woman entitled to receive such wages within forty-eight hours of production by her of the certificate in Form "B" or Form "D".

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(7) The wages payable under section 10 shall be paid to the woman entitled to receive such wages within forty-eight hours.

6. Break for nursing child — Each of the two breaks mentioned in section 11 shall be of 15 minutes duration. An extra sufficient period depending upon the distance to be covered, shall be allowed for the purpose of journey to and from the creche or the place where the children are left by woman while on duty, provided that such extra period shall not be of less than 5 minutes and more than 15 minutes duration. If any dispute arises regarding such extra period, the matter shall be referred to the Competent Authority for decision.

7. Duties and powers of the Competent Authority and Inspectors.—

(1) The Competent Authority shall be responsible for the administration of these rules throughout the territories to which they extend.

(2) Every Inspector shall discharge his duties within the area assigned to him by the State Government and shall act under the supervision and control of the Competent Authority.

(3) Every Inspector shall at each inspection of a factory see :—

- (a) Whether due action has been taken on every notice given under section 6;
- (b) Whether the muster roll prescribed under rule 3 is correctly maintained;
- (c) Whether there have been any cases of discharge or dismissal or notices of discharge or dismissal in contravention of the provisions of section 12 since the last inspection;
- (d) Whether the provisions of sub-section (1) of section 4, sub-sections (5) and (6) of section 6, sections 8, 9, 10, 11, 13 and 19 have been complied with and whether amount due have been paid within the prescribed time,
- (e) Whether there have been any cases of deprivation of maternity benefit or medical bonus in contravention of sub-section (2) of section 12; and
- (f) How far the irregularities pointed out at previous inspections have been remedied and how far orders previously issued have been complied with.

4. Where an Inspector observes irregularities against the Act or these Rules he shall issue orders in writing to the employer asking the latter to rectify the irregularities within a specified period and to report compliance to the Inspector.

8. Acts which constitute gross misconduct.—The following acts shall constitute gross misconduct for purpose of section 12, namely.—

- (a) wilful destruction of employer's goods or property;
- (b) assaulting any superior or co-employee at the place of work;
- (c) criminal offence involving moral turpitude resulting in conviction in a court of law;
- (d) theft, fraud or dishonesty in connection with the employer's business or property; and

(e) wilful non-observance of safety measures or rules on the subject or wilful interference with safety devices or with firefighting equipment.

9. Appeal under Section 12.—(1) An appeal under clause (b) of sub-section (2) of section 12 shall be preferred to the Competent Authority.

(2) The appeal may be made in writing and either handed over personally or sent under a registered cover to the Competent Authority.

3. When an appeal is received, the Competent Authority shall furnish a copy of the memorandum of appeal to the employer, call for the reply thereto and also ask him to produce documents connected with the issue of the appeal by a fixed date. The Competent Authority may ascertain further details, if necessary from the employer as well as from the woman. On considering the fact presented to him and ascertained by him, the Competent Authority shall give his decision. In case the employer fails to submit his reply or produce the required documents within the specified period, the Competent Authority may give the decision *ex parte*.

10. Complaint under Section 17 —(1) A complaint under sub-section (1) of Section 17 shall be made in writing in Form "H" or "T" as the case may be.

(2) When a complaint referred to in section 17 is received by an Inspector, he shall examine the relevant record maintained by the employer in this behalf, examine in any person employed in the factory and take down necessary statement for the purpose of the enquiry and if he is satisfied that the maternity benefit or the amount has been improperly withheld, he shall direct the employer to make the payment to the woman or to the person claiming the payment under section 7, as the case may be, immediately or within a specified period.

11. Appeal under Section 17.—(1) An appeal against the decision of the Inspector under sub-section (2) of section 17 shall lie to the Competent Authority.

(2) The aggrieved person shall prefer an appeal in writing to the Competent Authority in Form "J" and file other supporting documents.

(3) When an appeal is received the Competent Authority shall call from the Inspector before a fixed date, the record of the case. The Competent Authority shall, if necessary, also record the statements of the aggrieved persons, and of the Inspector and seek clarification, if required.

(4) Taking into account the documents, the evidence produced before him and the facts presented to him or ascertained by him, the Competent Authority shall give his decision.

12. Supply of forms.—The employer shall supply to every woman employed by him at her request free of cost copies of form 'B', 'C', 'D', 'E', 'F', 'G', 'H', and 'T'.

13. Non-submission of notices, appeals or complaints in the prescribed forms—Nothing in rules 5, 9 and 10 shall affect the right of a woman entitled to receive maternity benefit or any other amount due under the

Act, if she fails to submit a notice, appeal or complaint under the said rules, as the case may be in a prescribed form:

Provided that where a notice, appeal or complaint under the said rules have been submitted by a woman entitled to receive maternity benefit or any other amount due under the Act in a form other than the prescribed form, the authority concerned may, within 15 days of the receipt of such notice, appeal or complaint, require the woman to submit the notice, appeal or complaint, as the case may be, in the prescribed form.

14. **Records.**—Records, kept under the provisions of the Act and these Rules, shall be preserved for a period of two years from the date of their preparation.

15. **Abstract.**—The abstract of the provisions of the act and these rules required to be exhibited under section 19 shall be in form K and shall be exhibited in such manner as the Competent Authority may require.

16. **Annual returns.**—(1) The employer of every factory shall, on or before the 21st day of January in each year submit to the Competent Authority a return in each of the Forms "L", "M", "N" and "O" giving information as to the particulars specified in respect of the preceding year.

(2) If the employer of a factory to which the Act applied sells, abandons or discontinues, the working of the factory he shall, within one month of the date of sale or abandonment or four months of the date of discontinuance, as the case may be, submit to the Competent Authority a further return in each of the said forms in respect of the period between the end of the preceding year and the date of sale, abandonment or discontinuance.

FORM A

(See Rule 3)

Muster Roll

Name of Factory.....

1. Serial Number.
2. Name of woman and her father's (or if married husband's) name.
3. Date of appointment.
4. Nature of work.
5. Dates with months and year in which she is employed, laid off and not employed.

Month	No. of days employed	No. of days laid off	No. of days not employed	Remarks
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6. Date on which the woman gives notice under section 6.
7. Date of discharge/dismissal, if any.
8. Date of production of proof of pregnancy under section 6.
9. Date of birth of child.
10. Date of production of proof of delivery/miscarriage/death.
11. Date of production of proof of illness referred to in section 10.

12. Date with the amount of maternity benefit paid in advance of expected delivery.
13. Date with the amount of subsequent payment of maternity benefit.
14. Date with the amount of bonus, if paid, under section 8.
15. Date with the amount of wages paid on account of leave under section 9.
16. Date with the amount of wages paid on account of leave under section 10 and period of leave granted.
17. Name of the person nominated by woman under section 6.
18. If the woman dies, the date of her death, the name of the person to whom maternity benefit and/or other amount was paid, the amount thereof, and date of payment.
19. If the woman dies and the child survives, the name of the person to whom, maternity benefit was paid on behalf of the child and the period for which it was paid.
20. Signature of the employer of the Factory authenticating the entries in the muster roll.
21. Remarks column for the use of the Inspector.

FORM B

[See rule 4(1)]

This is to certify that I examined.....wife/daughter of.....a woman employee in.....(name of factory) on.....(date) and found/cannot discover that she is pregnant and is expected to be delivered of a child within (month/and days) from the above mentioned date/has undergone miscarriage/has been delivered of a child on.....(date) or is suffering from.....(date) from illness arising out of pregnancy/delivery/premature birth of a child or miscarriage.

Date.....

Signature, qualifications add designation
Medical Officer/Medical Practitioner.

Definitions of "child" and "miscarriage" as in the Maternity Benefit Act, 1961.

1. "Child" includes a still-born child.
2. "Miscarriage" means expulsion of the contents of a pregnant uterus at any period prior to or during the twenty-sixth week of pregnancy but does not include any miscarriage, the causing of which is punishable under the Indian Penal Code.

FORM C

[See rule 4(4)]

This to certify that Smt.....wife/daughter of.....employed in.....(name of factory) expired on.....before/during after confinement. The child died on...../survives her.

Date.....

Signature, qualifications and designation of
Medical Officer/Medical Practitioner.

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FORM D

[See rule 4 (5)]

This to certify that I examined.....wife/daughter of..... a woman employed in.....(name of factory) and found that she has been delivered of a child/has undergone miscarriage on.....(date).

Date.....

Signature of registered midwife.

Definitions of "child" and "miscarriage", as in the Maternity Benefit Act, 1961.

1. "Child" includes a still born child.
2. "Miscarriage" means expulsion of the contents of pregnant uterus at any period prior to or during the twenty-sixth week of pregnancy but does not include any miscarriage, the causing of which is punishable under the Indian Penal Code.

FORM E

[See rule 5 (1)]

(Notice under Section 6 of the Maternity Benefit Act, 1961.)

(Name of Factory)

I.....(Name of woman) wife/daughter of..... employed on.....at(Name of factory) hereby given notice that I expect to be confined within six weeks next following from the date of this notice have given birth to a child on(date) and shall be absent from work from(date). I shall not work in any establishment during the period for which I received maternity benefit.

2. For the purpose of Section 7, I hereby nominate..... (here enter name and address of the nominee) to receive maternity benefit and/or any other amount due to me under the Act in case of my death.
Signature of an Attestor in case the woman is not able to sign and affixes thumb impression. Signature or thumb Impression of woman.

FORM F

See rule 5 (3)]

Form of receipt of Maternity Benefit,

To

.....(Name of factory).....

I.....the undersigned, a woman employee the nominee of woman employee legal representative of woman employee deceased in..... (name of factory).....at.....in.....district received Maternity benefit and/or other amount due under the Maternity Benefit Act, 1961, from the employer of the factory referred to above, below ;—

Rs. , being the first instalment of maternity benefit paid on.....
Rs. , being the second instalment of maternity benefit after the delivery paid on.....

Rs. , being the medical bonus under section 8 of the Act paid on.....

Rs. , being the wages for the leave period from.....to..... mentioned under section 9 or 10.

My/Her confinement/miscarriage took place on.....or I/She fell ill because of pregnancy, delivery, premature birth of a child or miscarriage on.....In consequence I.....her Nominee/legal representative have received the aforesaid amounts prescribed in section 5, 8, 9 and 10 of the Maternity Benefit Act, 1961.

Signature or thumb impression of

"Woman employee or her nominee or legal representative, Signature of an attester in case the woman is not able to sign and affixes thumb impression.

Date.....

"Strike out unnecessary portion.

FORM G

(See rule 9)

To
The Competent Authority
appointed under the Maternity Benefit Act, 1961
(Address).

Sir,
I.....the undersigned woman employee of.....
(name of factory and full address), having been wrongly deprived by the employer of maternity benefit or medical bonus or both (Strike out unnecessary portion) for the reasons attached hereto, prefer this appeal under sub-section (2) of Section 12 and request that the said employer be ordered to pay the above mentioned amount to me. A copy of the order of the employer in this behalf is enclosed.

Signature or thumb impression of
the woman.

Date.....

Signature of an Attester in case
the woman is not able to sign
and affixes thumb impression.

FORM H

(See: rule 10)

To,
The Inspector,
(Under the Maternity Benefit Act, 1961).

Sir,
I.....(name of woman) employed in.....
(Name and full address of Factory) having fulfilled the conditions laid down in the Maternity Benefit Act, 1961, and the Rules thereunder and entitled to Rs.....being maternity benefit and/or Rs.....

being the medical bonus and/or Rs.....being wages for leave due under section 9 or 10 but the same has been improperly withheld by the employer. He may, therefore, be directed to pay the amount to me.

Date.....

Signature or thumb impression of the woman.
Signature of an attestor in case the woman
is unable to sign and affixes thumb impression.
Full address of the woman.

FORM I

(See rule 10)

To,

The Inspector,

(Under the Maternity Benefit Act, 1961).

I.....(name) a person nominated under section 6 by or a legal representative of (name of woman) employed in
.... .. (name and full address of factory) have to complain that the said woman having fulfilled the conditions laid down in the Maternity Benefit Act, 1961 and the Rules thereunder is entitled to Rs
being maternity benefit and/or Rs.... .. being the medical bonus and/or Rs.....being wages for leave due under section 9 or 10 but the same has been improperly withheld by the employer. He may, therefore, be directed to pay the amount to me.

Signature or thumb impression of the nominee/legal representative.

Date.....

Signature of an attestor in case the nominee/legal representative is unable to sign and affixes thumb impression.

Full address of the nominee/legal representative.

FORM J

(See rule 11)

To,

Sir,

ShriInspector, having directed under sub-section (2) of Section 17 to pay the Maternity Benefit or other amount being..... (nature of amount) to which.....(name of woman) is said to be entitled. I prefer this appeal under sub-section(3) of section 17. In view of the facts mentioned in the memorandum attached hereto and other documents filed herewith it is submitted that the woman is not entitled to the maternity benefit or the said amount and hence the decision of the Inspector in this behalf, copy of which is enclosed, may be set aside.

Signature of aggrieved person.

Date.....

Full address.....

FORM K

(See rule 15)

(Abstract of the Maternity Benefit Act, 1961, and the rules made thereunder)

1. No employer shall knowingly employ a woman during the six weeks immediately following the day of her delivery or miscarriage and no woman, shall work in any establishment during the said period.

2. No pregnant woman shall, on a request being made by her in this behalf, be required by her employer to do during the period of one month immediately preceding the period of six weeks before the date of her expected delivery and also for any period during this period of six weeks for which she does not avail of leave of absence any work which is of an arduous nature or which involves long hours of standing, or which is any way is likely to interfere with her pregnancy or the normal development of the foetus, or is likely to cause her miscarriage or otherwise to adversely affect her health.

3. (1) Subject to the provisions of the Act, every woman who has actually worked in an establishment of the employer from whom she claims maternity benefit for a period of not less than one hundred-sixty days, including the days during which she was laid off shall be entitled to and her employer shall be liable for the payment of maternity benefit at the rate of her average daily wages, or one rupee a day whichever is higher for the period of her actual absence not exceeding six weeks immediately preceding and including the day of her delivery and for the six weeks immediately following that day :

Provided further that where a woman dies during the period for which maternity benefit is payable to her the benefit shall be payable only for the days upto and including the day of her death.

However, where the woman having been delivered of a child, dies during her delivery or during the period of six week immediately following the date of her delivery, leaving behind in either case the child, the employer shall be liable for the payment of maternity benefit for the entire period of six weeks immediately following the day of her delivery but if the child also dies during the said period, then, for the days upto and including the day of the death of the child.

(2) The amount of maternity benefit for the period preceding the date of her expected delivery shall be paid in advance by the employer to the woman on production of a certificate in form 'B' stating that she is pregnant and is expected to be delivered of a child within six weeks of the date of production of the certificate and the amount due for the subsequent period shall be paid by the employer to the woman within forty eight hours of production of the certificate in form 'B' or form 'D' stating that she has been delivered of a child or production of a certified extract from a birth Register maintained under the provisions of any law for the time being in force.

4. (1) Any woman employed in an establishment and entitled to maternity benefit under the provisions of this Act may give notice in

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writing in Form 'E' to her employer, stating that her maternity benefit and any other amount to which she may be entitled under this Act may be paid to her or to such person, as she may nominate in the notice and that she will not work in any establishment during the period for which she receives maternity benefit.

(2) In the case of a woman, who is pregnant, such notice shall state the date from which she will be absent from work not being a date earlier than six weeks from the date of her expected delivery.

(3) Any woman who has not given the notice when she was pregnant may give such notice as soon as possible after the delivery.

(4) On receipt of the notice, the employer shall permit such woman to absent herself from the establishment until the expiry of six weeks after the day of delivery.

5. (1) Every woman entitled to maternity benefit under the Act shall also be entitled to receive from her employer a medical bonus of twenty-five rupees; if no pre-natal, confinement and post-natal care is provided for by the employer free of charge. The medical bonus shall be paid alongwith the second instalment of the maternity benefit.

(2) In case of miscarriage, a woman shall, on production of a certificate in form 'B' or form 'D' be entitled to leave with wages at the rate of maternity benefit, for a period of six weeks immediately following the day of her miscarriage. The wages shall be within 48 hours of production of the certificate in form 'B' or form 'D'.

(3) A woman suffering from illness arising out of pregnancy delivery premature birth of child or miscarriage shall, on production of a certificate in form 'B' be entitled, in addition to the period of absence allowed to her on account of maternity or miscarriage, as the case may be, to leave with wages at the rate of maternity benefit for a maximum period of one month. The wages for the leave period shall be paid within 48 hours of the expiry of that period.

6 Every woman delivered of a child who return to duty after such delivery shall, in addition to the interval for rest allowed to her be allowed in the course of her daily work two breaks of 15 minutes duration for nursing the child, until the child attains the age of fifteen months. An extra sufficient period depending upon the distance to be covered, shall be allowed for the purpose of the journey to and from the creche or the place where the children are left by woman while on duty provided that such extra period shall not be less than 5 minutes and more than 15 minutes duration.

7. (1) When a woman absents herself from work in accordance with the provisions of the Act, it shall be unlawful for her employer to discharge or dismiss her during or on account of such absence or to give notice of discharge or dismissal on such a day that the notice will expire during such absence, or to vary to her dis-advantage any of the conditions of her service.

(2) (a) The discharge or dismissal of a woman at any time during her pregnancy, if the woman but for such discharge or dismissal would

have been entitled to maternity benefit or medical bonus shall not have the effect of depriving her of the maternity benefit or medical bonus :

Provided that where the dismissal is for one or more of the following acts, the employer may, by order in writing communicated to the woman, deprive her of the maternity benefit or medical bonus or both:-

- (i) wilful destruction of employer's goods or property;
- (ii) assaulting any superior or co-employee at the place of work;
- (iii) criminal offence involving moral turpitude resulting in conviction in a court of law;
- (iv) theft, fraud or dishonesty in connection with the employer's business or property; and
- (v) wilful non-observance of safety measures or rules or the subject or wilful interference with safety devices or with fire-fighting equipment.

(b) Any woman deprived of maternity benefit or medical bonus or both, may within sixty days from the date on which the order of such deprivation is communicated to her, appeal in form G to the Chief Inspector of Factories and Boilers, Rajasthan and the decision of the Chief Inspector of Factories and Boilers, Rajasthan on such appeal whether the woman should or should not be deprived of maternity benefit or medical bonus or both, shall be final.

8. If a woman works in any establishment after she has been permitted by her employer to absent herself under the provision of the Act, she shall forfeit her claim to the maternity benefit for such period.

9. (1) Any woman claiming that maternity benefit or any other amount to which she is entitled under the Act and any persons claiming that payment due has been improperly withheld may make a complaint to the Inspector in Writing in form 'H' or 'I' as the case may be.

(2) The Inspector may, of his own motion or on receipt of a complaint in form 'H' or 'I' make an inquiry or cause an enquiry to be made and if satisfied that payment has been wrongfully withheld may direct the payment to be made in accordance with his orders.

(3) Any person aggrieved by the decision of the Inspector, may within thirty days from the date on which such decision is communicated to such person, appeal to the Chief Inspector of Factories and Boilers, Rajasthan.

(4) The decision of the Chief Inspector of Factories and Boilers, Rajasthan where an appeal has been performed to him or of the Inspector where no such appeal has been performed, shall be final.

10. (a) The employer shall supply to every woman employed by him at her request free of cost; copies of forms 'B', 'C', 'D', 'E', 'F', 'G', 'H', and 'I'.

(b) The failure to submit a notice, appeal or complaint in the prescribed form will not affect the right of a woman entitled to receive maternity benefit or any other amount due under the Act. Where a notice, appeal or complaint has been received in a form other than the

prescribed form, the authority concerned shall within fifteen days of such notice, appeal or complaint, require the woman to submit the notice or complaint, as the case may be, in the prescribed form.

11. (a) (1) The employer of every factory in which woman are employed shall prepare and maintain a muster roll in form 'A' and shall enter therein particulars of all woman workers in the Factory.

(2) All entries in the muster roll shall be made in ink and maintained up-to-date and it shall always be available for inspection by the Inspector during working hours.

(b) The employer of every factory shall on or before 21st day of January in each year submit to the Chief Inspector of Factories and Boilers, Rajasthan, a return in each of the forms 'L', 'M', 'N', 'O', giving information as to the particulars specified in respect of the preceding year.

FORM L
(See rule, 10)

Annual return for the year ending on the 31st December, 19....

1. Name of the Factory.
2. Situation of the Factory.
Tehsil.
District.
State.
Nearest Railway Station.
3. Date of the starting of the Factory.
4. Date of closing, if closed.
5. Postal address of Factory.
6. Name of employer.
Postal address of employer.
7. Name of managing agent, if any.
Postal address of managing agent.
8. Name of agent or representative of employer.
Postal address of representative of employer.
9. Name of Manager.
10. (a) Name of Medical Officer, attached to the Factory.
(b) Qualification of Medical Officer attached to the Factory.
(c) Is he resident at the Factory.
(d) If a part-time employee, how often does he pay, visits to the Factory.
11. (a) Is there any hospital at the Factory ?
(b) If so, how many beds are provided for woman employees ?
(c) Is there a Lady Doctor ?
(d) If so, what are her qualifications ?

(e) Is there a qualified midwife ?

(f) Has any creche been provided ?

Signature of employer.

Date.....

FORM M

(See rule 16)

Employment, dismissal, payment of bonus, etc. of woman for the year ending on 31st December, 19

1. Factory.
2. Aggregate number of woman permanently or temporarily employed during the year.
3. Number of woman who worked for a period of not less than one-hundred and sixty days in the twelve months immediately preceding the date of delivery.
4. Number of woman who gave notice under Section 6.
5. Number of woman who were granted permission to absent on receipt of notice of confinement.
6. Number of claims for maternity benefit paid.
7. Number of claims for maternity benefit rejected.
8. Number of cases where pre-natal, confinement and post-natal care was provided by the management free of charge (Section 8)
9. Number of claims for medical bonus paid (Section 8).
10. Number of claims for medical bonus rejected.
11. Number of cases in which leave for miscarriage granted.
12. Number of cases in which additional leave for illness under Section 10 was granted.
13. Number of cases in which additional leave for illness under Section 10 was applied for but was rejected.
14. Number of women who died:
 - (a) before delivery,
 - (b) after delivery.
15. Number of cases in which payment was made to persons other than the woman concerned.
16. Number of women discharged or dismissed while working.
17. Number of women deprived of maternity benefit and/or medical bonus under proviso to sub-section (2) of Section 12.
18. Number of cases in which payment was made on the order of the Competent Authority or Inspector.
19. Remarks.

N.B.—Full particulars of each case and reasons for the section taken under serials 7, 17 and 18 should be given.

Signature of Employer.

Dated.....

FORM N

(See rule 16)

Details of payment made during the year ending 31st December, 19...

Name of person to whom paid. Amount paid.

1. Date of payment.
2. Women employee.
3. Nominee of the woman.
4. Legal representative of the woman.
5. Amount for the period preceding date of expected delivery.
6. Amount for the subsequent period.
7. Under Section 8 of the Act.
8. Under Section 9 of the Act.
9. Under Section 10 of the Act.
10. Number of women workers who absconded after receiving the first instalment of maternity benefit.
11. Cases where claims were contested in a Court of Law.
12. Results of such cases.
13. Remarks.

Signature of employer.

Date.....

FORM 'O'

(See rule 16)

Prosecution during the year ending 31st December, 19...

Place of employment for the woman employee. (For Factory)	Number of cases instituted.	Number of cases which resulted in conviction.	Remarks.
---	--------------------------------	---	----------

N.B —Reasons for prosecution should be given in full.

Signature of employer.

Date19 ..

[Pub. in Raj. Gaz. 4(Ga) (I)—Dt. 13-11-69—Page 184]

Rajasthan Maternity Benefits Rules, 1967.

Notification S. O. 52, dated June 5, 1970.—In exercise of the powers conferred by sub-rule (2) of rule 1 of the Rajasthan Maternity Benefits Rules, 1967, the State Government hereby notifies that the said Rules shall come into force with effect from the date of publication of this notification in the Official Gazette.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 5-6-70]

Rules and Notifications under

MINES & MINERALS (REGULATION & DEVELOPMENT) ACT,
1948. (CENTRAL ACT No. 34 OF 1948.)

RAJASTHAN MINOR MINERAL CONCESSION RULES, 1959.

Industries and Mines (Section Mines) Department

Notification G.S.R 98, dated August 4, 1969.—In exercise of the powers conferred by section 15 of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act 67 of 1957), the State Government hereby makes the following rules further to amend the Rajasthan Minor Mineral concession Rules, 1959, namely :—

1. *Short title.*—These rules may be called the Rajasthan Minor Mineral Concession (Amendment) Rules, 1969.

2. *Amendment of rule 16.*—In the Rajasthan Minor Mineral Concession Rules, 1959, for clause (b) of rule 16, the following clause shall be substituted, namely :—

“(b) Upon an application made in this behalf before six months of the expiry of the lease and upon payment of a fee of Rs. 10/- a mining lease may be renewed by the Government for a period equivalent to the period of the original lease and where the Government is satisfied that the mines have been improved by the lessees and that substantial investments in machinery and equipment have been incurred by him, the State Government may subject as aforesaid, further grant second and third renewals, each for a period equal to the period of the original lease. Where the lease is so renewed the deadrent shall not exceed twice the original deadrent in the case of first renewal and thrice and four times the original deadrent in the case of second and third renewals, respectively.”

Provided that the State Government, while granting third renewal of the Mining Lease may in its discretion reduce the area of the lease. Royalty shall be chargeable at the rates in force at the time of renewal.”

[Pub. in Raj. Gaz. Ex. 4 (Ga)-(I)-Dt. 11-12-69-Page 210]

Notification G. S. R. 99 dated October 9, 1969.—In exercise of the powers conferred under section 15 of the Mines and Minerals (Regulation and Development) Act, 1957 (Act 67 of 1957), the State Government hereby makes the following amendments, to the Rajasthan Minor Mineral Concession Rules, 1959.

(i) In the said Rules below sub-rule (2) of Rule 27 the following new sub-rule shall be added, namely :—

"27 (3)—Application for renewal received after the period prescribed in sub-rule (2) above will be entertained only on the payment of penalty as laid down below :—

- | | | | | |
|---|------|------|------|-----------|
| (i) Delay of one month | .... | .... | .... | Rs. 50/- |
| (ii) Delay of more than one month but less than three months. | .... | .... | .... | Rs. 100/- |
| (iii) In Rule 28 for the word "two years" the word "five years" shall be substituted. | | | | |

[Pub. in Raj. Gaz. Ex. 4 (Ga) (I) Dt. 11-12-69 Page 211]

Notification G.S.R. 31, dated March 31, 1970.—In exercise of the powers conferred by section 15 of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act 67 of 1957) the State Government hereby makes the following rules, further to amend the Rajasthan Minor Mineral Concession Rules 1959, namely :—

1. *Short title.*—These rules may be called the Rajasthan Minor Mineral Concession (Amendment) Rules, 1970.

2. *Amendment of rule 16.*—In the Rajasthan Minor Mineral Concession Rules, 1959 for clause (b) of rule 16, the following shall be substituted, namely :—

"(b) Upon an application made in this behalf before six months of the expiry of the lease and upon payment of a fee of Rs. 10/- a mining lease may be renewed by the Government for a period equivalent to the period of the original lease and where Government is satisfied that mines have been improved by the lease and that substantial investments in machinery and equipment have been incurred by him, the State Government may, subject as aforesaid further grant second, third and fourth renewals, each for a period equal to the period of the original lease. Where the lease is so renewed the deadrent shall not exceed twice the original deadrent in the case of first renewal and thrice, four times and five times the original deadrent in the case of second, third and fourth renewals respectively :

Provided that the State Government, while granting third and fourth renewal of the Mining Lease may in its discretion reduce the area of the lease. Royalty shall be chargeable at the rates in force of the time of renewal."

[Pub. in Raj. Gaz. (Ga)--Dt. 4-6-70 Page 108]

Rajasthan Minor Mineral Concession (Amendment)

Rules, 1970.

INDUSTRIES (B) DEPARTMENT

Notification G. S. R. 30, dated March 21, 1970.—In exercise of the powers conferred by section 15 of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act 67 of 1957), the Government of Rajasthan hereby makes the following rules further to amend the Rajasthan Minor Mineral Concession Rules, 1959, namely :—

1. Short title.—These rules may be called the Rajasthan Minor Mineral Concession (Amendment) Rules, 1970.

2. Amendment of rule 27.—In the Rajasthan Minor Mineral Concession Rules, 1959, Sub rule (3) of rule 27 shall be deleted.

[Pub. in Raj. Gaz. 4(Ga)-Dt. 4-6-70—Page 108]

Rules and Notifications under

MINIMUM WAGES ACT, 1948.
(CENTRAL ACT No. 11 OE 1948.)

RAJ. MINIMUM WAGES RULES, 1959

Labour & Employment Department

Notification G. S. R. 44, dated September 11, 1969.—In exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), the State Government hereby makes the following rules, further to amend the Rajasthan Minimum Wages Rules, 1959, the same having been previously published in Rajasthan Gazette Extraordinary, Part IV-C dated 22-4-1969, as required by sub-section (1) of the said section, namely :—

1. These rules may be called the Rajasthan Minimum Wages (Amendment) Rules, 1969.

2. In the Rajasthan Minimum Wages Rules, 1959, for rule 14, the following rule shall be substituted, namely :—

“14. *Quorum*.—No business shall be transferred at any meeting unless at least one-third of the members, of whom there shall be at least one representative each of both the employers and the employees, are present :

Provided that if at any meeting less than one-third of the members are present or no representatives of both the employers and the employees are present, the Chairman may adjourn the meeting to a date not later than seven days from the date of the original meeting and it shall thereupon be lawful to dispose of the business at such adjourned meeting irrespective of the number or class of members present”.

[Pub. in Raj. Gaz. Ex. 4(Ga)(II)—Dt. 11-9-69—Page 163]

Labour & Employment Department

Notification G.S.R. 62, dated November 4, 1969.—In exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), the State Government hereby makes the following rules, further to amend the Rajasthan Minimum Wages Rules, 1959, the same having been published in Rajasthan Gazette extra-ordinary part III, (Kh) dated the 31st May, 1969 as required by sub section (1) of the said section, namely :—

1. *Short title* --These rules may be called the Rajasthan Minimum Wages (Amendment) Rules, 1969.

2. In the Rajasthan Minimum Wages Rules, 1959 in Rule 24-A, for the existing sub-rule (3) the following sub-rule shall be substituted, namely :—

"(3) No worker in any establishment shall be required or allowed to work for more than 9 hours a day and 48 hours in any week :

Provided that the total number of hours of work including overtime shall not exceed ten hours on any working day:

Provided further that the total number of over-time hours worked by any worker shall not exceed 50 hours in a quarter.

[Pub. in Raj. Gaz, Ex. 4 (Ga) (I)Dt, 4-11-69Page 181]

MINIMUM WAGES ACT, 1948.

Labour and Employment Department

Notification S. O. 54 dated March 26, 1969.—Whereas the Government of Rajasthan notified proposals of the fixing of the Minimum rates of Wages in respect of employment in any Tobacco (including Bidi making) manufactory for the State of Rajasthan, vide Notification No. F. 3. (27) Lab./62 dated the 31st October, 1966, published in the Rajasthan Rajpatra dated 24-11-1966, Part III (B), as required by section 5 of the Minimum Wages Act, 1948 (Central Act 11 of 1948);

And whereas representations received in respect of the said proposals have been considered by the Government;

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 3 read with sub-section (2) of section 5 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), the State Government hereby fixes the minimum rates of wages in respect of employment in any Tobacco (including Bidi making) manufactory in the State of Rajasthan as specified in the Schedule below : -

SCHEDULE

- | | |
|---|---|
| 1. Bidi Roller | Rs. 2.00 per 1000 Bidis or Rs. 85/ p. m. |
| 2. Bibi Sorter and Checker (Full time worker) | Rs. 100/-p.m. |
| 3. Bundle wrapper and packer | Rs. 85/-p. m. or Rs. 2/-per 1000 bundles. |
| 4. Snuff making | Rs. 2.31 per day or Rs. 60/- p. m. |

Notes :—(1) In the case of daily wage earners, the minimum rate of daily wages payable to an employee shall be computed dividing the minimum rate of monthly wages fixed for category of employees to which he belongs by 26, the quotient being stepped up to the nearest paisa.

(2) Notwithstanding anything contained herein, if on the date, the aforesaid rates come into force, the wages of a workman in the said employment exceed such rates, the wages actually received by him on the said day, shall be the minimum rates of wages fixed in respect of him; and

(3) The rates of minimum wages specified in the Schedule are all inclusive rates, allowing for the basic rate, the cost of living allowance and the cash value of concessions, if any.

This notification shall come into force on and from the June 26, 1969.

MINIMUM WAGES ACT, 1948.

LABOUR & EMPLOYMENT DEPARTMENT

Notifications S.O. 180, dated November 28, 1969.—Whereas the State Government having been delegated by the Central Govt. the functions under the Minimum Wages Act, 1948 (Central Act 11 of 1948) in so far as such functions relate to the fixation of minimum rates of wages under the said Act and the review and revision of the minimum rates of wages so fixed, in respect of employees employed in Stone Breaking and Stone crushing operations carried on in any mine or quarry situated within the State, published its proposals to fix minimum rates of wages in respect of the scheduled employment in Stone Breaking and Stone Crushing carried on in mines or quarries for the whole of the State of Rajasthan under its Notification No. F. 3 (7) Lab./63 dated the 7th January, 1969, in the Rajasthan Gazette Extraordinary Part III-(Kh) of the same date, for inviting objections and suggestions from persons likely to be affected thereby;

And whereas no representations have, in respect of the said proposals, been received by the Government;

And whereas the State Government has also consulted the Rajasthan Minimum Wages Advisory Board which has concurred to the proposed minimum rates of wages in respect of the said scheduled employment;

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 3, read with sub-section (2) of section 5, of the Minimum Wages Act, 1948 (Central Act 11 of 1948), the State Government hereby fixes the minimum rates of wages payable to employees employed in the said scheduled employment carried on in any mine or quarry the State as specified by the Table below :—

TABLE

Categories of employees.	Minimum rates of wages per month.
A. 1. Unskilled (Adult, male or female workers).	
(i) Beldars, Chowkidars, Work-Keepers, Watermen, Creche-attendants, Sweepers.	Rs. 60/-
(ii) Mates, Jamadars, Helpers, Chainmen	Rs. 65/-
2. Unskilled (male or female adolescent)	Rs. 52/-
B. Semiskilled :	
(i) Munshies Land Surveyors.	Rs. 80/-
(ii) Drivers of machinery upto 10 H.P, Chreche-Inch-arges, Hand drillers, Stone-dressers and cutters.	Rs. 90/-
C. Skilled :	
(i) Drivers of Motor Vehicles, Mistries, Carpenters, Welders, Blacksmiths, Mechanics, Fitters. Linemen Turners, Moulders, Electricians, Wiremen.	Rs. 100/-

- | | |
|--|-----------|
| (ii) Mechanics, Drillers and Blasters, Stone Crusher Operators | Rs. 110/- |
| (iii) Truck Drivers. | Rs. 125/- |

Notes :—

1. In the case of daily wage earners, the minimum rates of daily wages payable to an employee shall be computed by dividing the minimum rates of monthly wage, fixed for the category of employees to which he belongs, by 26, the quotient being stepped upto the nearest paisa.

2. Notwithstanding contained herein, if on the date, the aforesaid rates come into force, the wages of a workman in the said employment exceed such rates, the wages actually received by him on the said day, shall be the minimum rates of wages fixed in respect of him.

3. The rates of minimum wages specified in the Table above are all inclusive rates allowing for the basic rate, the cost of living allowance and the cash value of concessions, if any.

This notification shall come into force with effect from the date of its publication in the official Gazette.

[Pub. in Raj. Gaz. 4 (Ga) (II)—Dt. 28-11-69—Page 281]

MINIMUM WAGES ACT, 1948.

Labour Department

Notification S.O. 55, dated March 26, 1969.—In exercise of the powers conferred by sub-section (1) of Section 3 read with sub-section (2) of section 5 of the Minimum Wages Act, 1948 (Central Act XI of 1948), after adopting the procedure laid down therein, and consulting the Advisory Board, the State Government hereby fixes the minimum rates of wages in respect of employment in Woollen Carpet making and Shawl Weaving establishments in the State of Rajasthan as specified in the Schedule below :—

SCHEDULE

(1) TIME RATE MANUAL OCCUPATIONS.

Minimum Time rate	Rs. 60-00 P. M. or Rs. 2.31 per day inclusive of paid weekly holiday.
-------------------	---

(2) PIECE RATE OCCUPATIONS.

(A) Yarn Opener	Rs. 0.15 per Kilo (hand spun & upto 30 counts), Rs. 0.50 per Kilo (Mill spun upto 40 counts). Rs. 0.50 per Kilo (Mill spun 40 to 70 spun). Rs. 1.00 per Kilo (Mill spun above 70 counts)
(B) Spinner	Rs. 0.75 per Kilo of Wool spun.
(C) Washerman	Rs. 100.00 per month.
(D) Dyer	Rs. 125.00 p. m.
(E) Weaver	

Plain Carpet (one colour):

(i) upto 40,000 knots per Sq. Yd.	Rs. 5.25 per Sq. Yd.
(ii) over 40,000 knots Sq. Yd.	Rs. 5.75 per Sq. Yd.

Designed Carpet:

(i) upto 30,000 knots per Sq. Yd. upto 15 colours	Rs. 6.50 per Sq. Yd.
(ii) from 30,000 knots to 40,000 knots per Sq. upto 20 colours.	Rs. 7.50 per Sq. Yd.

(iii) over 40,000 knots
per Sq. Yds. and
more than 20
colours

Rs. 1.75 per Sq. S Yd.

(F) Clippers

Rs. 120.00 per month or Rs 0.31
per Sq. Yd. (4× knots).

(G) Embessors

Rs. 135.00 per month.

(H) Carpet Mistri

Rs. 125.00 per month.

Notes:—(1) In the case of daily wage earners, the minimum rate of daily wages payable to an employee shall be computed dividing the minimum rate of monthly wages fixed for category of employees to which he belongs by 26, the quotient being stepped upto the nearest paisa.

(2) Notwithstanding anything contained herein, if on the date, the aforesaid rates come into force, the wages of a workman in the said employment exceed such rates, the wages actually received by him on the said day, shall be the minimum rates of wages fixed in respect of him; and

(3) The rate of minimum wages specified in the Schedule are all inclusive rates, allowing for the basic rate the cost living allowance and the cash value of concessions, if any.

This notification shall come into force on and from the 26th June, 1969.

[Pub. in Raj. Gaz. Ex. 4 (Ga)Dt. 26-3-69 Page 1206]

Notification S. O. 181, dated November 28, 1969.—Whereas the State Government published its proposals for revision in the minimum rates of wages in respect of the schedule employment in Agriculture for the whole of the State of Rajasthan under its notification No. F. 1 (7) (27) L&E/66 dated the 11th January, 1967, in the Rajasthan Gazette Extraordinary Part III (Kh) dated the 12th January, 1967, for inviting objections and suggestions from persons likely to be effected thereby;

And whereas no representations have in respect of the said proposals been received by the Government;

And whereas the State Government has also consulted the Rajasthan Minimum Wages Advisory Board, which has concurred to the proposed revision of the said rates of wages;

Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 3, read with sub-section (2) of section 5 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), and in supersession of this department notification No. F. 3 (42) Lab./62/5335 dated the 23rd August, 1963 and No. F. 3 (42) Lab./62 dated the 26th September, 1966, the State Government hereby revises the Minimum Rates of Wages in respect of the said employment in the State as specified in the Tables below:—

TABLE

1. Minimum rates of wages for the whole of the State of Rajasthan except the canal area of the Ganganagar District.—

(i) Adult male	Rs 60/-per month
(ii) Adult female	Rs. 52.50 per month
(iii) Child (male or female) ;	Rs. 1.12 per day.

2. Minimum rates of wages for the canal area of the Ganganagar District.—

(i) Adult male	Rs. 82.50 per month
(ii) Adult female	Rs. 67.50 per month
(iii) Child (male or female)	Rs. 1.75 per day

Note :—

1. In the case of daily wage earners the minimum rates of daily wages payable to an employee shall be computed by dividing the minimum rates of monthly wages fixed for category of employees to which he belongs, by 26, the quotient being stepped up to nearest paisa;

2. Notwithstanding anything contained therein, if on the date the aforesaid rates come into force, the wages of a workman in the said employment exceed such rates, the wages actually received by him on the said day, shall be the minimum rates of wages fixed in respect of him.

3. The rates of minimum wages specified in the Table are all inclusive rates allowing for the basic rate, the cost of living allowance and the cash value of concessions if any.

This notification shall come into force with effect from the date of its publication in the Official Gazette,

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II) Dt. 28.11.69-Page 282]

LABOUR & EMPLOYMENT DEPARTMENT

Notification No. F. 1 (7) (28) L & E/66, dated December 19, 1967.—

In exercise of the powers conferred by sub-section (1) of section 5, read with Section 9 of the Minimum Wages Act, 1948 (Central Act XI of 1948), the State Government hereby appoints a Committee under clause (a) of sub-section (1) of section 5 to hold enquiry and advise the Government for the purpose of revision of minimum rates of wages fixed in respect of the employment in salt Industry within the State under this Department Notification No. F. 9 (90) Ind (C), 59, dated 20-9-63 and nominates the following persons as Chairman and members of the Committee, namely :—

1.	O. N. Sharma,		
	Retired Depty Labour Commissioner,		.... Chairman
	Rajasthan, Jaipur.		
2.	Shri R. P. Sikka,	Employers'	.... Member
	Labour Officer,	Representative	
	Sambhar Salt Ltd.,	Employers'	.... Member
3.	The Manager, Salt	Representative	
	Sources, Industries		
	Department, Jaipur		

4.	Shri Laxman Singh, Rajasthan Salt Workers Union, Sambhar Lake.	Employees' Representative	.... Member
5.	Shri D. Durgawat, General Secretary, Indian National Trade Union Congress, Rajasthan, Udaipur.	Employees' Representative	.... Member

The term of office of the members of the Committee shall be six months from the date of publication of this notification in the Official Gazette.

Shri P. D. Joshi, Regional Assistant Labour Commissioner, Jodhpur, will act as Secretary of the Committee.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 21-12-67—Pages 805]

Notification S. O. 208, date December 24, 1969.—In exercise of the powers conferred by sub-section (1) of section 19 of the Minimum Wages Act, 1948 (Central Act XI of 1948), the State Government hereby makes the following amendments in this Department Notification of even number dated the 25th May, 1967, published at pages 141 and 142, part IV-C of the Rajasthan Gazette, Extraordinary, dated the 26th May, 1967, namely :—

AMENDMENTS

In the table appended to the said notification.

(1) The entries at Serial No. 1 shall be deleted, and

(2) In column 3 against Serial No. 2, for the expression "For Jaipur District (Except Jaipur City)", the expression "For Jaipur District including Jaipur City" shall be substituted.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 24. 12. 69—Pages 359]

Labour & Employment Department

Notification S. O. 51. dated March 25, 1969.—In exercise of the powers conferred by section 27 of the Minimum Wages Act, 1948 (Central Act XI of 1948) and after taking into consideration the objection and suggestions received in pursuance of this Department notification of even number dated the 30th January, 1967 published in the Rajasthan Rajpatra part IV (C) dated 7th September, 1967 the State Government hereby amends Part I of the Schedule to the said Act in its application to this State, by adding thereto the following employment in respect of which it is of opinion to fix minimum wages under the said Act, namely:—

"15-Employment in Soap Stone Factories."

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II) Dt. 25-3-69]

Labour & Employment Department

Notification S. O. 155, dated October 14, 1969.—In pursuance of the provisions contained in Section 27 of the Minimum

Wages Act, 1948 (Central Act 11 of 1948), in its application to the State of Rajasthan, the State Government hereby gives three months' notice of its intention to add to part I of the Schedule to the said Act, the following employment, in respect of which the State Government is of opinion that minimum rates of wages should be fixed under the said Act, namely:—

“18. Employment in Engineering Industries,”

*The term “Engineering Industries” will include the following type of establishments:—

1. Basic Metal Industries.
2. Manufacture of Metal Products (except Electrical Machinery).
3. Manufacture of Machinery (except Electrical Machinery).
4. Manufacture of Electrical Machinery, Apparatus, Appliances and Supplies.
5. Manufacture of Transport Equipment.
6. Miscellaneous Manufacturing Industries like:—
 - (i) Manufacture of professional, scientific, measuring and controlling instruments.
 - (ii) Manufacture and repair of watches and clocks.
 - (iii) Manufacturing not elsewhere classified like zip fasteners etc.

[Pub. in Raj. Gaz. Ex. 4(Ga) (II)-Dt.14-10-69-Page 265]

Labour & Employment Department

Notification G. S. R. 91, dated February 12, 1970.—In exercise of the powers conferred by section 27 of the Minimum Wages Act, 1948 (Central Act XI of 1948) and after taking into consideration the objections and suggestions received in pursuance of this Department notification of even number dated the 14th October, 1969, published in the Rajasthan Rajpatra (Extraordinary) Part IV C dated the 14th October, 1969, the State Government hereby amends Part I of the Schedule to the said Act in its application to this State, by adding hereto the following employment in respect of which it is of opinion to fix minimum wages under the said Act, namely:—

18. Employment in Engineering Industries.”*

*The term “Engineering Industries” will include the following type of establishments:—

1. Basic Metal Industries.
2. Manufacture of Metal Products (except Machinery and Transport equipment).
3. Manufacture of Machinery (except Electrical Machinery).

4. Manufacture of Electrical Machinery, Apparatus, Appliances and Supplies.
5. Manufacture of Transport Equipment.
6. Miscellaneous Manufacturing Industries like :
 - (i) Manufacture of professional, scientific, measuring and controlling instruments.
 - (ii) Manufacture and repair of watches and clocks.
 - (iii) Manufacturing not elsewhere classification like zip fasteners etc.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (I) Dt. 12-2-70—Page 309]

Rules and Notifications under

MINISTERS SALARIES ACT, 1951 & 1956. THE RAJASTAAN
(19 OF 1951 & 43 OF 1956)

Rajasthan Ministers' (Advances for Purchase of Motor Cars) Rules, 1965.

Cabinet Secretariat

Notification No. F. 8 (20) Cab/64, dated December 26, 1967.—In exercise of the powers conferred by section 7 A of the Rajasthan Ministers Salaries Act, 1956 (Rajasthan Act 43 of 1956), the Governor of Rajasthan hereby makes the following rules further to amend the Rajasthan Minister's (Advances for Purchase of Motor Cars) Rules, 1965, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Ministers' (Advances for Purchase of Motor Cars) (Amendment) Rules, 1967.

(2) They shall come into force with effect from 1st March, 1967.

2. *Amendment of Rule 4 of the Rajasthan Ministers' (Advances for Purchase of Motor Cars) Rules 1965.*—In rule 4 of the Rajasthan Ministers' (Advances for Purchase of Motor Cars) Rules, 1965 (hereinafter referred to as the said Rules), the punctuation mark "full stop" appearing at the end of the rule after the words "his relinquishment" shall be omitted and thereafter the following expression and proviso shall be added, namely:—

"Within a period of 180 days of such date :

Provided that if he resumes office as a Minister prior to the expiry of the said period of 180 days, the advance shall continue to be re-paid in instalment laid down in this rule and the payment of instalments, if any, fallen due during such period when the office of Minister was not held, shall be made."

3. *Amendment of rule 4 A of the Rajasthan Ministers' (Advances for Purchase of Motor Cars) Rules, 1965.*—In rule 4A of the said rules, between the words "to refund" and word "the entire loan" the expression "within a period of 180 days" shall be inserted.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 26-12-67—Page 819].

Notification No. F. 8 (20) Cab./64, dated April 8, 1968.—In exercise of the powers conferred by section 7A of the Rajasthan Ministers Salaries Act, 1956 (Rajasthan Act 43 of 1956) the Governor is pleased to order that the following amendment shall be made, and shall be deemed always to have been made, in the Rajasthan Ministers (Advances for purchase of Motor Cars) Rules, 1965 namely:—

AMENDMENT

In the first line of the Note below rule 9 of the Rajasthan Ministers (Advances for purchase of Motor Cars) Rules, 1965, the word "purchase" shall be substituted by the word "purchases."

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 23.5.68 Page 66.]

**Rajasthan Ministers (Medical Attendance) (Amendment)
Rules, 1961.**

Cabinet Secretariat

Notification, dated September 16, 1968.—In exercise of the powers conferred by section 7 of the Rajasthan Ministers Salaries Act, 1956 (Rajasthan Act, 43 of 1956) the Governor of Rajasthan hereby makes the following rules further to amend the Rajasthan Ministers (Medical Attendance) Rules, 1961, namely:—

1. These rules may be called the Rajasthan Ministers (Medical Attendance) (Amendment) Rules, 1961,—

2. In sub-rule (2) of rule 4 of the Rajasthan Ministers (Medical Attendance) Rules, 1961,—

(i) the word “No” occurring at the beginning shall be deleted; and

(ii) for the expression, “however,” the word “also” shall be substituted.

3. Rule 10 of the Rajasthan Ministers (Medical Attendance) Rules, 1961, shall be deleted.

[Pub. in Raj Gaz. 4 (Ga)—Dt. 31-10-68—Page 198]

RAJASTHAN MINISTERS' (TRAVELLING ALLOWANCES AND USE AND MAINTENANCE OF CONVEYANCE) RULES, 1963.

Cabinet Secretariat

Notification No. F. 12(1) Cab]67, dated March 21, 1968.—

In exercise of the powers conferred by sections 5 (IA) and 6 of the Rajasthan Ministers' Salaries Act, 1956 (Rajasthan Act No. 43 of 1956), the Governor of Rajasthan hereby makes the following rules further to amend the Rajasthan Ministers' (Travelling Allowances and Use and Maintenance of Conveyance) Rules, 1963, namely :—

1. *Short title.*—These rules may be called the Rajasthan Ministers (Travelling Allowances and Use and Maintenance of Conveyance) (Amendment) Rules, 1968,

2. *Amendment of rule 2 of the Rajasthan Ministers' (Travelling Allowances and Use and Maintenance of Conveyance) Rules, 1963.*—(a) In rule 2 of the Rajasthan Ministers' (Travelling Allowances and Use and Maintenance of Conveyance) Rules, 1963, (hereinafter referred to as the said rules), the following shall be inserted as clause (i) thereof, and the existing clauses (i), (ii) (iii) and (v) shall be respectively renumbered as clauses (v), (iii), (ii), and (vi) thereof, namely :—

“(i) “Actual Charges” where journey is performed by road, means such actual expenses, not exceeding ordinary 1st class railfare, where the two places are connected by rail.”

(b) In clause (vi), as so renumbered of rule 2 of the said rules between the words “Chief Minister” and the words “and Deputy Minister” the words “Minister of State” shall be inserted.

[Pub. in Raj. Gaz. Ex. 4(Ga)—Dt. 23-5-61—Page 66]

Cabinet Secretariat

*Notification G.S.R. 52, dated, October 1, 1969—*In exercise of the powers conferred by Section 5 (1-A and 6 of the Rajasthan Ministers Salaries Act, 1956 (Rajasthan Act, 43 of 1956), the Governor of Rajasthan hereby makes the following rules further to amend the Rajasthan Ministers (Travelling Allowances and use and maintenance of conveyance) Rules, 1963, namely :—

1. *Short title and commencement.*—(i) These rules may be called the Rajasthan Ministers (Travelling Allowances and use and maintenance of conveyance) (Amendment) Rules, 1969.

(ii) They shall come into force with effect from the 1st October, 1969.

2. *Amendment of rule 4.*—In the Rajasthan Ministers (Travelling Allowances use and maintenance of conveyance) Rules, 1963, for sub-clauses (i) & (ii) of clause (f) of sub-rule (2) of rule 4, the following shall be substituted, namely :—

“(f) daily allowance for the day of arrival at and departure from a station other than Jaipur and for the days of halts at the places outside Jaipur at Rs. 31/- per day :

Provided that the amount of daily allowance shall not exceed Rs. 500/- in any single month irrespective of the journeys performed or halts made.”

[Pub. in Raj. Gaz. Ex. 4(Ga) (I)-Dt. 1-10-69 Page 184]

Cabinet Secretariat

Notification G.S.R. 107, dated June 7, 1969.—In exercise of the powers conferred by section 5(IA) and 6 of the Rajasthan Minister's Salaries Act, 1956 (Rajasthan Act 43 of 1956), the Governor is pleased to make the following amendment in the Rajasthan Minister (Travelling allowance and use and maintenance of conveyance) Rules, 1963, namely :—

AMENDMENT

1. These rules may be called the Rajasthan Ministers (Travelling Allowances and use and Maintenance of Conveyance) Amendment) Rules, 1969.

2. In rule 4(2) (e) of the Rajasthan Ministers (Travelling Allowance and use and Maintenance of Conveyance) Rules, 1963 for the figures and words “1/4th” the figure and words “1/6th” shall be substituted.

[Pub. in Raj Gaz. Ex. 4 (Ga)-(I)-Dt. 1-1-70-Page 231]

RAJASTHAN PARLIAMENTARY SECRETARIES (FACILITIES & CONCESSIONS) RULES, 1967.

CABINET SECRETARIAT

Notification No. F. 12 (4) Cab/67, dated February 22, 1968.

In exercise of the powers conferred by Section 7-B (2) of the Rajasthan Minister's Salaries Act, 1956 (Act 43 of 1956), the Governor is pleased to make the following rules for the grant of certain facilities and concessions to the Parliamentary Secretaries.

1. *Short title and commencement.*—(i) These rules may be called the Rajasthan Parliamentary Secretaries (Facilities and Concessions) Rules, 1967.

(ii) These rules shall be deemed to have come into force with effect from the 5th September, 1967.

2. *Residence* —(i) The State Government shall provide each Parliamentary Secretary with a free furnished 'B' type Government bungalow or a requisitioned private house having similar accommodation.

(ii) A Parliamentary Secretary shall be paid a monthly allowance of Rs. 200/-, if he does not avail himself of the use of the fully furnished house provided by the Government and Rs. 50/- p. m. if he does not avail himself of the use of the furniture provided by the Government at his residence.

(iii) When a house is first allotted for the residence of a Parliamentary Secretary, the maximum expenditure to be incurred on the initial furnishing thereof shall be limited to Rs. 5,000/-. Rent for the furniture taken in excess of this limit shall be charged at the rate of 12% per annum of the capital cost of the furniture.

(iv) The Public Works Department shall maintain the residence of the Parliamentary Secretary as well as the compound and garden thereof; and a farrash and a gardener shall be provided by the P. W. D. at the residence of each Parliamentary Secretary for this purpose.

(v) Annual repairs up to 1% and special repairs (every fourth year) up to 2% of the capital cost of the house shall be regularly undertaken by the Public Works Department.

(vi) No person holding the office of a Parliamentary Secretary, shall, on ceasing to hold such office, continue to occupy the Government bungalow, or a requisitioned house, for a period exceeding two months from the date of relinquishing the charge of his office,

3. *Concessions on account of water and electricity.*—Each Parliamentary Secretary shall be entitled to the concession of payment by Government for himself and on his behalf, throughout his term of office, of all charges due from him on account of consumption of electricity and water at his residence, provided that such payment shall not exceed Rs. 1,200/- per annum on account of electricity and Rs. 600/- per annum on account of water.

4. *Medical Attendance.*—The Rajasthan Minister's (Medical Attendance) Rules, 1961, shall apply mutatis mutandis to the Parliamentary Secretaries.

5. *Travelling Allowances & Conveyance.*—(a) The Rajasthan Minister's (Travelling Allowances & use and maintenance of Conveyance) Rules, 1963, shall apply mutatis mutandis to the Parliamentary Secretaries, subject to the following modifications and to the ceilings prescribed in rule 8. —

“The rate of Daily Allowance for all places within or outside Rajasthan shall be Rs. 21/- per day.”

(b) The State Government shall provide each Parliamentary Secretary with a suitable conveyance :

Provided that a monthly allowance of Rs. 300/- shall be paid to a Parliamentary Secretary, if he does not avail himself of the use of a State Car.

(c) The conveyance shall be maintained by the State Government and the maintenance charges shall include all day-to-day running expenses and the pay and allowances of chauffeur.

(d) The State Government shall also meet the cost of petrol, not exceeding 3000 litres per annum, and of lubricating oils in respect of the conveyance placed at the disposal of a Parliamentary Secretary.

6. A Parliamentary Secretary shall be entitled to facilities of telephone at his office and residence, free of all charges, subject to the ceilings on yearly expenditure, as prescribed in rule 8.

7. A Parliamentary Secretary shall be entitled to use Government Stationery and Service postage stamps for the due discharge of his official functions.

8. The yearly over-all ceilings of expenditure to be incurred on Telephones (including rentals, local & trunk call etc.) and on Travelling Allowances and maintenance of vehicles, in respect of the Parliamentary Secretaries shall be as follows:—

- | | |
|---|-------------------------|
| 1. Telephone | Rs. 5,000/- per annum. |
| 2. Travelling Allowances and use and maintenance of vehicles. | Rs. 12,000/- per annum. |

The Rajasthan Monuments Archaeological Sites And Antiquities Rules, 1968.

Education Department

Notification G.S R. 3, dated, December 31, 1968.—In exercise of the powers conferred by section 38 of the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961 (Rajasthan Act 19 of 1961) and in supersession of the Notification of even number dated 28th September, 1966 published in the Rajasthan Rajpatra, Part 4 (C), dated 28th September, 1966, the State Government hereby makes the following Rules (the same having been previously published in the Rajasthan Rajpatra, Part II (B), dated the 28th January, 1965), namely:—

CHAPTER I

Preliminary

1. Short title and extent—(1) These rules may be called the Rajasthan Monuments, Archaeological Sites and Antiquities Rules, 1968.

(2) They shall extend to the whole of the State of Rajasthan.

2. Definition.—In these rules, unless the context otherwise requires,—

(a) 'construction' means that construction of any structure and includes additions or alterations in an existing building;

(b) 'construction' means the preparation of copies by drawing or by photography or by mould or by squeezing and includes the preparation of a cinematographic film with the aid of a hand camera which is capable of taking films of not more than eight millimeters and which does not require the use of a stand or involve any special previous arrangements;

(c) 'document' means any record on stone, lead or copper plate etc, which is a work of art on craftsmanship and is of historical value;

(d) 'filming' means the preparation of a cinematographic film with the aid of a camera which is capable of taking films of more than eight millimeters and which requires the use of a stand;

(e) 'form' means a form set out in Schedule III;

(f) 'manuscript' means any hand-writing, in a book form or on a paper or leaf, which is a work of art or historical value;

(g) 'mining operation' means any operation for the purpose of searching for or obtaining of any mineral;

(h) 'record' means engraved letters on stone, lead terracotta or copper plate etc;

(i) 'section' means a section of the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961;

(j) 'Schedule' means a schedule to these rules; and

(k) words and expressions not defined but used in these rules shall have the meanings respectively assigned to them under the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961.

CHAPTER II

Access to protected monuments.

3. *Monuments governed by agreements, etc.*—(1) Access to protected monuments in respect of which an agreement has been entered into between the owner and the State Government under section 5, or in respect of which a suit has been instituted in the Court of the District Judge under section 8, shall be governed by the provision of the agreement or as the case may be, the suit, and nothing in rules 4, 5, 6 or 7 shall be construed as affecting any such agreement or suit.

(2) A copy of the relevant provisions of every such agreement or suit shall be exhibited in a conspicuous part of the monument.

4. *Parts of monuments not open.*—The Director may, by order, direct that any specified part of a protected monument shall not be opened, permanently or for a specified period, to any person other than an Archaeological Officer, his agents, sub-ordinates and workmen and any other Government servants on duty at such part.

5. *Monuments when kept open.*—(1) The protected monument specified in Schedule I shall remain open during the hours specified against them in that schedule. Protected monuments which are not specified and to which neither rule 3 nor rule 4 applies shall remain open from sunrise to sun-set, provided that an archaeological officer may, by notice to be exhibited in a conspicuous part of the monument direct that a protected monument or a part thereof shall be closed temporarily for such period as may be specified in the notice.

(2) Nothing in this rule or in rule 4 shall apply to an archaeological officer, his agents, subordinates and workmen or to any other Government servant on duty at a protected monument.

6. *Entrance fee.*—(1) Every visitor shall be required to pay the fee as mentioned in Part I of Schedule II for admission into Amber Palace, Nahargarh Fort, Jaipur and Mardana Palaces, Udaipur. The fee shall be payable in cash at the gate of entry into the Palaces and Fort. No fee shall be chargeable from children up to the age of 7. Parties of students coming under the guidance of their teachers shall have entrance into the palaces and fort on payment of a fee of ten Paisa only, provided that the Director may, by order, direct that on such occasions and for such period as may be specified in the order, no fee shall be charged for entry into the palaces and fort or part thereof.

(2) The fee shall be recovered from each visitor by a representative of the Directorate of Archaeology and Museums Rajasthan, Jaipur who shall issue a ticket in the form specified in part II of the Schedule II, to each visitor authorising entry into Amber Palace, Nahargarh Fort, and Mardana Palaces, Udaipur.

(3) Any visitor going up to the Jaleb Chowk of Amber Palace and Nahargarh otherwise than on foot, shall pay the fee as in Part II of Schedule II for animals and conveyance. No conveyance other than speci-

fied in this part of Schedule II shall be plied on the route to Jaleb-Chowk of Amber Palace and Nahargarh fort.

(4) The following persons shall not be charged admission and conveyance fees for entry into the palaces on production of a permit granted by the Director in the form specified in Part IV of Schedule II, namely:—

(i) The Governor of Rajasthan, members of his family, and Raj Bhawan guests.

(ii) Rulers of Covenanted State of Rajasthan and the members of their families;

(iii) Union Ministers and State Ministers including Deputy Ministers;

(iv) Ambassadors;

(v) Speakers and Dy. Speakers of Parliament and State Assemblies;

(vi) State Guests;

(vii) Officials holding permanent passes from the Director for performance of their normal duties; and

(viii) Stall holders and shopkeepers who have been licensed by the Director to run their shops inside Jaleb Chowk of Amber Palace and Nahargarh.

7. *Holding of meetings etc. in monuments.*—(1) No protected monument shall be used for the purpose of holding any meeting, reception party, conferences or entertainment except under and in accordance with a permission in writing granted by the Government of Rajasthan.

(2) Nothing in sub-rule (1) shall apply to any meeting, reception party, conference or entertainment which is held in pursuance of a recognised religious usage or custom.

8. *Prohibition of certain acts within protected monument*—No person, shall within a protected monument,—

(a) do any act which causes or is likely to cause damage or injury to any part of the monuments; or

(b) discharge any fire-arms; or

(c) cook or consume food except in areas, if any, permitted to be used for that purpose; or

(d) hawk or sell any goods or wares or canvass any cystinger for such goods or wares or display any advertisement in any form show a visitor round for monetary consideration, except under the authority of or under and in accordance with the conditions of a licence granted by the Director or the Superintendent of Archaeology, Government of Rajasthan; or

(e) beg for alms; or

(f) violate any practice, usage or custom applicable to or observed in the monument; or

(g) bring, for any purpose other than the maintenance of the monument—

- (i) any animal, or
- (ii) any vehicle except in the areas reserved for the parking thereof.

9. *Licence required for copying certain monuments.*—The Director may, by order, direct that no person other than an archaeological officer or an officer authorised by him in this behalf shall copy any specified protected monument or any class of protected monuments or any part thereof except under and in accordance with the terms and conditions of a licence granted by an Archaeological Officer.

10. *Conditions for copying other monuments.*—(1) Any person may copy a protected monument other than such monuments in respect of which an order has been made under rule 9.

(2) Nothing in sub-rule (1) shall be construed as authorising any person other than an Archaeological Officer or an officer authorised by him in this behalf, while copying any such monuments, to—

(a) bring into or use, within the precincts of such monuments, a camera-stand, stool chair, table, large drawing desk board, or any such appliance, or

(b) erect any scaffolding within such precincts, or

(c) use within such precincts any artificial light other than a flash light synchronised with the exposure of a camera, or

(d) apply any extraneous matter, such as water, oil, grease or any moulding material on such monument or part thereof, or

(e) prepare a direct tracing or mould or squeeze of such monument or part thereof

except under and in accordance with the terms and conditions of a licence in writing granted by an archaeological officer.

11. *Licence required for filming*—No person shall undertake any filming operation at a protected monument or a part thereof except under and in accordance with the terms and conditions of a licence granted under rule 13

12. *Application for licence*—An application for licence under rules 9, 10 and 11 shall be accompanied by the licence fee specified in Schedule IV and shall be made to the Director in Form I at least one month before the proposed date of the commencement of any such operation

13. *Grant or refusal of licence.*—On receipt of an application under rule, the Director may grant a licence in Form II or, if he is satisfied that the licence asked for should not be granted, he may after recording the reasons therefor refuse to grant a licence

14. *Terms and conditions for the grant of a licence.*—(1) Nothing shall be done by the licensee which has or may have the effect of exposing any part of the protected monument and the lawns and gardens attached thereto, to the risk of any damage.

(2) No extraneous matter such as water, oil, etc, shall be applied on any part of the monument.

(3) The generating plate for electric power, wherever required, shall be placed away from the monument and the attached lawns and ardens.

(4) There shall be no noise or unseemingly behaviour on the part of the performers.

(5) There shall be no request for closing down the monument or any part thereof to the public even for a short period either to facilitate the operation or for opening the monument beyond the normal hours.

(6) Nothing shall be done, which may hamper the free movement of the visitors to the monument.

(7) Each number of party shall be allowed free entrance and conveyance at monument, where no such fees are charged from visitors.

(8) No employee of the Department of Archaeology shall be expected to render any assistance beyond the normal attention paid by such employees to the visitors.

(9) The licensee shall observe the provisions of rules 3 to 8.

(10) Nothing shall be done to violate the customary rules prevailing at the monument or to use it for any purpose that may be inconsistent with his character.

(11) Nothing which is likely to offend public sentiment shall be done.

(12) All the provisions of the Rajasthan Monuments, Sites and Antiquities Act, 1961 shall be observed.

(13) In the event of the licence having been cancelled under these rules, no claim for the refund of the fee or any part thereof shall be entertained.

(14) If however, under any circumstances the party fails to undertake the operation at the monument on the date specified in the application submitted earlier for the grant of licence or if it does not wish to keep the monument engaged for the period for which fee stands already deposited (after having once begun the shooting operation at the monument), no fee or part thereof shall be refunded in either case.

(15) The above rules shall not apply to bonafide visitors in possession of 8 m.m. Cine-camera, not requiring the use of stands, who want to film a monument for the simple purpose of taking record films and with no intent on of utilising the monument as a part of any scene, provided that the prohibition contained in rule 3 above are observed and the use of artificial light including flash-light synchronisers shall not be allowed in the interior of a monument.

15. *Cancellation of licence*:—The Director may, by order and after giving notice to the licensee, cancel any licence granted under rule 13, if he is satisfied that any of the terms and conditions of the licence has been contravened.

16. *Appeal*:—Any person aggrieved by an order of the Director under rule 13 or rule 15 may prefer an appeal to the State Government and the decision of that Government on such appeal shall be final.

17. *Penalties*:—Whoever—

- (i) Unlawfully enters any protected monument or part thereof at a time when under these rules, it is not to be kept open; or
 - (ii) Unlawfully enters such monument in respect of which an order has been made under rule 4 or rule 5; or
 - (iii) Contravenes any of the provisions of rules 6, 7 and 8; or
 - (iv) Copies or films of any protected monument or does any act in contravention of the provisions of rules 9, 10 and 11 or the terms or condition of any licence granted under rule 13;
- shall be punishable with fine which may extend to one hundred rupees.

18. *Particulars of buildings, structures and other works controlled under section 19.*--Within the controlled area of a protected monument, the position, height, size, design, material, colour and screening etc. of the building, structure and other works above the ground shall be regulated by the following conditions:--

- (a) the new construction or structure shall not be in such a place and of such a height as might obstruct the external view of the protected monument;
- (b) the size of the new building or structure or works shall not be greater than that of the monument;
- (c) the design of the new construction or structure or works shall not allow any incongruities so as to be a patch work in the vicinity, when compared with the style used in the monument;
- (d) the materials used in the new construction shall not be different in quality from those used in the old building, structure or work;
- (e) the colour of the new construction, structure or works shall be in conformity with the one used in the monument;
- (f) the style of screens used, if any, in the new construction or structure or works would conform to the type used in the monument; and
- (g) the internal appearance of the building, structures and other works above ground within the controlled area of the monument shall fall in line with the external appearance of the protected monument, in the regulated area of which the alteration or extension of any buildings or structures or works take place.

CHAPTER III

Constructions and other operations in protected area etc.

19. *Application for permission for construction or excavation etc. in protected areas*--Every application for permission for:--

- (i) Construction of any building;
- (ii) Carrying out any mining, quarrying, blasting; or
- (iii) Excavating for archaeological or historical purposes, or
- (iv) Undertaking any other operation of the like nature, under section 22, in any protected area, shall be made in Form II at least three months before the date of the commencement of the proposed construction, operation excavation, etc., as aforesaid.

20. *Grant or refusal of licence*--(1) On receipt of an application under rule 19:--

(i) If such an application is for excavations for archaeological or historical purposes in any protected area, the Director shall obtain the previous approval of the Central Government with regard to the proposed excavation and may thereafter grant a licence in Form IV for such purposes, subject to such rules and directions of the Central Government, if any, as the Central Government may make or give in this behalf in each case or generally, if the Director is satisfied that the applicant is competent by training and experience, to undertake the excavation and has adequate means, equipment and staff for the purpose;

(ii) if such an application is for excavation for purposes other than archaeological or historical purposes, or for construction of any building or for carrying on any mining, quarrying, blasting or any operation of a like nature, the Directors may grant, licence in Form V, if he is satisfied that the construction of any building or carrying on any such operation is not likely to damage any protected monument or affect that value thereof and the applicant has adequate training and means for the purpose for which he has applied.

(2) Notwithstanding anything contained in sub-rule (1) and subject to the provision of rule 23, no licence shall be granted under this rule unless the applicant has paid the licence fee specified in Schedule IV and furnished security of such amount not exceeding one thousand rupees as the applicant has adequate training and means for the purpose for which, he has applied.

(3) The Director may for reasons to be recorded in writing refuse to grant a licence in any particular case.

21. *Conditions for licence* —Subject to such rules or directions, if any as the Central Government may make or give in this behalf, as provided under Section 24, every licence granted under rule 20 shall be subject to the following conditions:—

(i) it shall be non-transferable;

(ii) it shall be in force for such period not exceeding two months as may be specified in the licence:

Provided that the Director may, on application made to him at least one month before the expiry of the licence, extend the period of such licence by such time as he considers proper, subject to the condition that the total period including the period originally fixed and the period so extended shall not exceed six months;

(iii) the licensee shall give to the Director, the collector of the district and the owner of the land to be excavated or in respect of which any operation as stated in rule 19 is to be carried on at least fifteen days' notice in writing for the excavation or such operation;

(iv) the licensee shall have to be present at site for at least 3/4th period of the aforesaid operation unless the Director by order exempts him from such presence;

(v) the licensee shall not, without the permission of the Director, dismantle or disturb any structures or antiquities found during his operations under the licence and shall make adequate arrangements for the safety of structures or antiquities till they are taken charge of by the Director. The licensee shall inform the Director or the owner of the land of the discovery of any such structure or antiquities. He shall also inform the Director or the owner of the land of the discovery of any such structure or antiquities. He shall also inform the Director of the discovery of any antiquity in Form VI.

(vi) the licensee shall not subject to any antiquities discovered during his operations under the licence, to any chemical or electrical appliances of mining, without the permission of the Director;

(vii) the licensee shall not impose any restriction on the inspection by any Archaeological Officer of his operations under the licence or the structures or antiquities discovered during such operation. The licensee shall not also object to the taking of notes on or the filming of, the structures or antiquities so discovered, by an Archaeological Officer;

(viii) the licensee shall give at least 15 days' notice in writing to the Director before he discontinues his operations under the licence unless the discontinuance of such operation is caused by causes beyond the control of the licensee or on account of the expiration of the period of licence.

(ix) the licensee shall within three months of the completion of his operation under the licence, submit to the Director a summary of the result of the operations carried on by him and where the operations continue for more than three months, such report shall be submitted every quarter and it shall be open to the Director to publish the contents of the reports in his reports or reviews.

22. *Disposal of antiquities*—(1) Where, as a result of any excavation or operation carried on in any protected area, any antiquity is discovered, the Archaeological Officer or the Licensee, as the case may be, shall submit a report of such discovery to the State Government through the Director, personally or by post in form VII.

(2) Unless the State Government make an order under sub-section (3) of section 25 of the Act, such Antiquities shall be disposed in the following manner:—

(i) antiquities other than rare antiquities shall be divided into two parts, one share shall go to the licensee and the other to the State Archaeological Department;

(ii) rare antiquities shall be preserved in the Museum of the area or locality;

(iii) all human relics of historical importance, or antiquities which are of National importance, shall be transferred to the Central Archaeological Survey.

23. *Exemption from security and other cognate matters*. (1) The director may by order exempt a person or institution engaged in excavation

ting or mining, blasting or quarrying operation, if such a person or institution is an expert in this line and is recognised by the Central Archaeological Survey as competent to carry out the work.

(2) On the expiry of the excavations or operations under the licence granted under rule 20 or the cancellation of such licence these rules, the security deposited by the licensee or the balance thereof in cases where some deduction or recovery has been made under these rules, shall be returned to him.

(3) The Director may by order direct the deductions or recovery from the security amount furnished by the licensee under these rules.

(i) of the value of any antiquity recovered as a result of an excavation or operation carried on by a licensee under his licence, if such antiquity is lost or destroyed while in the custody of the licensee;

(ii) of any compensation payable to the owner or occupier of the land in which the licensee has carried on any excavation or operation under the licence.

(4) When during the currency of a licence, any amount has been deducted or recovered under this rule, the Director may require the licensee, within such time as he may specify; to deposit a further sum as equivalent to the amount deducted or recovered.

24. Control of mining etc. to protect or preserve protected monument--

(1) The Director may by order fix the boundaries of the area in or near which any protected monuments stand, for the purpose of regulating mining, quarrying, excavating blasting and other operations of like nature, in order to protect or preserve any protected monument.

(2) No person shall carry on any mining, quarrying, excavating blasting or any other operation of like nature in the area fixed under sub-rule (1), except in accordance with the terms and conditions of a licence granted under sub-rule (3).

(3) An application for the grant of licence required under sub-rule (2) shall be made to the Director, in Form VIII at least three months before the proposed date of commencement of any such operation.

(4) On receipt of the application and the fees prescribed in Schedule IV, the Director may grant the licence in Form IX containing the terms subject to which any such operation, as aforesaid, may be carried on in any such area fixed under sub-rule (1). The provision of sub-rule (2) of rule 20 and of rules 21 and 23 shall apply, as far as may be, to the grant of licence under this sub-rule.

(5) The Director may, if he is satisfied that the carrying on any such operation is dangerous to any protected monument, he may, after recording the grounds of his opinion, refuse to grant the licence applied for or he may cancel the same, if granted.

*25. Cancellation of a licence--*The Director may by order cancel of licence granted under rule 20 or rule 24, if he is satisfied that the conduct

of any construction or as the case may be, of any operation, has not been satisfactory or in accordance with the terms and conditions of such licence or is dangerous to any protected monument:

Provided that no licence shall be cancelled, unless the licence has been given an opportunity of being heard.

26. *Appeal*—Any person aggrieved by an order of the Director under rule 20 or rule 24 or rule 25 may, prefer an appeal to the State Government, the decision of the State Government on such appeal shall be final.

27. *Penalties*—(1) Whoever undertaken any construction, mining, quarrying, blasting or any operation of a like nature or any excavation, in any protected area otherwise than under a licence granted under rule 20 or contravenes any of the terms and conditions of such licence, shall be punishable with a fine which may extend to five thousand rupees.

(2) Where the breach of any rule or condition of a licence has been committed by the agent or servant of a licence, the licence himself shall be punishable as if he has himself committed such breach.

(3) Whoever commits any breach of sub-rule (2) of rule 24 or of any terms and conditions of the licence granted under sub-rule (4) thereof shall be punishable with fine which may extend to two hundred rupees.

CHAPTER IV.

Protected Antiquities

28. *Declaration Antiquities*—Every owner of a coin, sculpture, epigraph, illustrated manuscript, picture, painting or any other work of art or craftsmanship, which is an antiquity, shall make a declaration to the effect that he or she has with him or her any one or more of the above types of antiquities such a declaration would contain all relevant particulars pertaining to the size, material, title and chronology of the object. A photograph of each of these objects shall have to be kept by every owner together with a register of all such objects, in which all particulars relating thereto would be maintained. The declaration of his assess of the type mentioned by the owner would not mean that these would be confiscated or acquired compulsorily but that these would be placed within the knowledge of scholars and art critics, if they desire to do so. This would be done in order to see the art and archaeological material of Rajasthan interpreted properly. Copies of photographs may be supplied by owners to scholars against cash payment but one set of such photographs may be supplied free of charge to the Director for his record in such cases where it is not possible for the party to supply such photographs the owner would send information to the Director that he has no objections if his objects are photographed by the department of Archaeology and Museums, the department shall arrange to have the objects photographed for reference purposes. After a list of such antiquities is received and photographic record of the objects are available, the State Government may declare them as "Protected" under the Act, after issuing a notification in the official gazette in Form X and a copy of it would be sent to the respective owner.

29. *Application for moving antiquities*--Every application for permission to move any antiquity or any class of any antiquities in respect of which a notification has been issued under sub-section (1) of section 28 shall be made in Form XI to the Director at least three months before the proposed date of the moving of such antiquity,

30. *Grant or refusal of permission*--One receipt of an application under rule 23, the Director may after making such enquiries as he may deem necessary, grant permission for the moving of all or any of the antiquities or, for reasons to be recorded, refuse such permission.

31. *Penalty*--Any person:--

(i) who fails to declare any antiquity under his ownership, as required by rules; or

(ii) who moves any protected antiquity except with the written permission of the Director as required by sub-section (i) of section 28; shall be punishable with fine which may extend to five hundred rupees.

CHAPTER V

32. *Composition*--The Board shall consist of the following members

(i) The Minister of Education;

(ii) The Deputy Minister of Education;

(iii) Director General of Archaeology in India or his nominee;

(iv) Secretary to the Government, Education Department or his nominee;

(v) Chief engineer Public Works Department, Rajasthan;

(vi) Not more than two persons possessing special knowledge of Archeology or keenly interested in the preservation of the cultural heritage, to be completed by the Board, as members; and

(vii) The Director of Archaeology & Museums.

(2) The Minister of Education, Rajasthan shall be ex-officio Chairman of the Board and when he is absent or for any other reason he is unable to act, the Dy. Minister of Education, Rajasthan, shall act as Chairman. The Director shall be the member-Secretary of the Board.

(3) The Vice-Chairman of the Board shall be elected by the Board and carry out the functions of the Chairman when the Chairman is absent or for any reason he is unable to act.

33. *Terms of office*.--(1) The terms of office of the members of the Board shall be three years.

(2) Only the co-opted members shall be eligible for re-appointments by co-option.

34. *Meeting*.--(1) The Board shall meet as and when considered necessary by the Chairman:

Provided that there shall be atleast one meeting in a year.

(2) Special meetings may be called by Secretary on requisition by least one third members of the Board, if such requisition is addressed to the Secretary and is accompanied by a clear statement of the business to

be transacted thereat, the Secretary shall, upon receipt of the requisition, call the special meeting as soon as may be practicable.

35. *Notice of meetings.*—The Secretary shall send the notice of meeting, together with the agenda, to the members at least 15 days before the date of the meeting, except in the case of a special meeting wherefore such short notice, as may be practicable under the circumstances of the case, may be given.

36. *Quorum.*—(1) At least one half of members shall be present to constitute quorum at any meetings.

37. *Procedure of business at a meeting.*—(1) All questions shall be decided by a majority of the votes of members including Chairman or the Vice-Chairman, as the case may be, present and voting.

(2) In all cases of equality of votes, the Presiding authority shall have a record vote.

Votes shall be taken by a show of hands.

38. *Standing and ad-hoc committees.*—(1) The Board shall be at liberty to form standing or ad-hoc committees and shall have power to appoint on an *ad-hoc* committee persons who are not members of the Board but who possess special knowledge and experience of the problems which the committees is required to examine.

(2) Each standing or ad-hoc committee shall consist of three to six members who shall be appointed by the Board.

(3) The quorum at any meeting of such committee shall be twothird of the total number of its members, present thereat. If such a quorum is not present at any meeting, it shall be adjourned to any convenient date and no quorum shall be necessary at the adjourned meeting.

(4) The members shall elect amongst themselves a person as the President of their Committee at a meeting specially convened for the purpose.

(5) The term of office of the members of such Committee shall be co-extensive with the term of office of the Advisory Board.

(6) The procedure of business at a meeting of the Board as stated in rule 34 shall apply *'Mutatis-mutandis'* to a meeting of such committee.

39. *Power of the State Government to dissolve and reconstitute the Advisory Board*—(1) If, at any time, the State Government is satisfied that the Advisory Board is not competent to perform its duties or has abused its powers or its continuance is not likely to serve any purpose, it may by order published in the official gazette and dissolve the Board:

Provided that no action shall be taken under the sub-section unless the Board has been afforded a reasonable opportunity submitting explanation and of being heard, if the Board so desires.

(2) The Board dissolved under sub-section (1) may be reconstituted by the State Government by order published in the official gazette.

(3) The consequences of the dissolution of the Board under sub-section (1) shall be as if the term of the Board has expired under these rules.

CHAPTER VI

Miscellaneous.

40. *Manner of preferring an appeal.*—(1) Every appeal to the State Government under the Rajasthan Monuments, Archaeological Sites Antiquities Act, 61 or under these rules shall be in writing and shall be preferred within one month of the date of receipt of the order appealed against.

(2) Every such appeal shall be accompanied by a copy of the order appealed against.

41. *Service of orders and notices.*—Every order made or notice issued under these rules shall :—

(a) in the case of any order or notice of a general nature or affecting a class of persons, be published in the official gazette; and

(b) in the case of any order or notice affecting corporation or firm, be served in the manner provided for the service of summons in rule 2 of order XXIX or rule 3 of order XXX, as the case may be, in the First Schedule to the Code of Civil Procedure, 1908; and

(c) in the case of any order or notice affecting an individual person, be served on such person ;—

(i) be delivering or tendering it to the person concerned, or

(ii) if it cannot be so delivered or tendered, by delivering or tendering it to any adult male member of the family of such person or by affixing a copy thereof on the outer door or some conspicuous part of the premises in which that person is known to have last resided or carried on business or personally worked for gain, or

(iii) by sending it by registered post, acknowledgement due.

SCHEDULE I

(See Rule 5)

Hours during which certain monuments of part three will remain open.

S. No.	State	District	Locality	Name of Monument	Part of monument which shall remain open during hours noted against	Hours of opening
1.	Rajasthan.	Jaipur	Amber	Palaces as whole.	1st Apl. to 31st August 7.00 A.M. to 12.00 P.M. 1st Sept. to 31st March. 8.00 A.M. to 6.00 P.M.	
2.	Rajasthan.	Jaipur	Jaipur	Nahargarh Fort.	Whole except a room in charge of H.H. Jaipur. 9.00 A.M. to 5.00 P.M.	
3.	Rajasthan.	Udaipur	Udaipur	Palaces.	Part known as Mardana Palaces only. 9.00 A.M. to 5.00 P.M.	

SCHEDULE II.

See Rule 6.

- (1) For student under the guidance of teachers and representing an educational institutions and on production of identity cards-10 P
- (2) Others—15 P.

PART II (form for ticket).

10/15 Paise

The bearer is authorised to enter Amber Palace/Nahargarh Fort/Mardana Palaces. The admission fee of 10/15 Paise has been recovered in cash.

*Director,
Archaeology & Museums,
Rajasthan, Jaipur.*

PART III

Fee for horse	1/-(in case of Amber Palaces)
Fee for Elephant	2/-(Amber Palace only)
Fee for Jeep.	5/-(in case of Amber Palaces only).

PART IV

No. _____ Dated the _____
 Admit Shri.... into Amber
 (Address).... Palaces/Nahargarh Fort/Mardana Palaces without payment of admission
 and conveyance fee.

*Director,
Archaeology & Museums
Rajasthan, Jaipur.*

FORM II

(See Rule 13)

Licence for copying or filming operation at protected monument.

M/s.... is hereby allowed to undertake
 the copying operation or filming operation of his/their film entitled.....
as per script and details of scenes attached....
 hereto in and.... around
 District.... State Rajasthan for a period of.... days
 commencing with the.... days of.... 196 .

The licence is granted subject to the provision of the rules and is further subject to the following conditions, namely :—

The requisite fee of Rs.... has been charged from him/ them. The licence is not transferable. It shall be valid for the period, it has been issued.

Seal and Signature of the
 Director, Archaeology, Raj. Jaipur.

FORM III

(See Rule 19)

Application for permission for construction, quarrying, blasting and mining operations within a protected area.

1. Name and address of applicant.
2. Name of the protected area within which construction/mining/Excavating/quarrying/blasting operation is proposed.....locality.
3. Nature and details of the proposed construction, quarrying, blasting and excavating and operation in respect of which permission is sought.

(A site plan in triplicate showing in red outline the extent of the operation in relation to the protected area should be attached; and details regarding the depth down to which the operation is to be carried out, the mode of the operation, the method of the suffling of sound, the kind and charge of blasting material and the depth and number of blast holes to be fired at a time should be specified).

4. Purpose of the proposed construction/blasting/quarrying/excavating or mining operation.....
5. Approximate duration and date of commencement of the construction/blasting/quarrying/excavating/mining operation
6. Approximate expenditure on the proposed operation etc.....

I declare that the above information is correct I also undertake to observe the provisions of the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961 and the rules made thereunder.

Seal of the Organisation State Signature of the Applicant.

Note :—1. If the application is on behalf of an organisation, the name thereof should be given.

2. If the application is on behalf of an organisation, the signature should be that of the head of that organisation.

FORM IV

(See rule 20)

Form of licence for excavations for Archaeological or historical purposes in protected area.

Whereas has applied for a licence for carrying out excavations for archaeological or historical purpose in the protected area known as at District.

And whereas the said Shri has agreed to abide by the said rules and directions of the Central Government, as also the provisions of the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961, and the rules made thereunder and more particularly specified in Part 'A' given below.

And whereas the Central Government has approved the grant of licence to the said Shri..... subject to the rules and directions specified in Part 'B' given below.

And whereas the said Shri..... has also deposited the licence fee of Rs. and the security amount of Rs. as required by the rules.

Whereas, I..... Director of Archaeology and Museums, Rajasthan, do hereby grant this licence under rule 20(1)(i) of the Rajasthan Monuments Archaeological Sites and Antiquities Rules, 1964, to the said Shri.... for carrying out the excavations for historical or Archaeological purposes, in the area indicated in red outlines on the plan attached hereto.

This licence is granted subject to the provisions of the Rajasthan Monuments, Archaeological Sites and Antiquities Act, and the rules made thereunder, more particularly subject to the conditions and rules specified in Part 'A' and Part 'B' thereof.

This licence is valid for.... commencing with day of 196 .

Station.

Dated

Seal of the Deptt.

Signature of the Director
of Archaeology & Museums
Rajasthan.

PART 'A'

Conditions of the Licence.

- (i) The licence shall not be transferable;
- (ii) It shall be in force for such period not exceeding two months as may be specified in the licence: Provided that the Director may, on application made to him atleast one month before the expiry of the licence, extend the period of such licence by such time as he considers proper, subject to the conditions that the total period including the period originally fixed and the period so extended does not exceed six months;

(iii) The licence shall give to the Director, the Collector of the District and the owner of the land to be excavated or in respect of which any operation as stated in rule 19 is to be carried on, at least fifteen day's notice in writing of the excavation of such operation;

(iv) The licence shall have to be present at site for atleast 3/4th period of the aforesaid operation, unless to the Director by order exempts him for such presence;

(v) The licence shall not, without the permission of the Director dismantle or disturb any structures or antiquities found during his operations under the licence and shall make adequate arrangements for the safety of structures or antiquities till they are taken charge of by the Director. The licence shall inform the Director of the owner of the land of the discovery of any such structure or antiquities. He shall also inform the Director of the discovery of any antiquity in Form VI.

(vi) The licence shall not subject any antiquities discovered during his operations under the licence, to any chemical or electrical appliances of mining, without the permission of the Director;

(vii) The licence shall not impose any restrictions on the inspection by any Archaeological Officer of his operations under the licence or the structures or antiquities discovered during such operation. The licence shall not also object to the taking of notes on or the filming of the structures or antiquities so discovered, by an Archaeological Officer.

(viii) The licence shall give at least 15 day's notice in writing to the Director before he discontinues his operations under the licence, unless the discontinuance of such operation is caused by causes beyond the control of the licence or on account of the expiration of the period of licence;

(ix) The licence shall, within three months of the completion of his operation under the licence submit to the Director a summary of the result of the operations carried on by him and where the operations continue for more than three months, such reports shall be submitted every quarter and it shall be open to the Director to publish the contents or the report or reviews.

PART 'B'

Rules and directions of the Central Government be observed by the licence;

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

FORM V

(See rule 20)

Licence for construction/quarrying/excavating/blasting/mining/operation in a protected area.

Whereas..... has applied for a licence for carrying out construction/quarrying/blasting/excavation/mining operations in protected area known as..... at..... District.

And whereas the said Shri..... has undertaken to observe the provisions of the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961 and the rules made thereunder and has further deposited the sum of Rs..... (Rupees..... only) as required by the rules.

I..... Director of Archaeology and Museums do hereby grant this licence under sub-rule (ii) of rule 20 of the said rules to the said..... to carry out operations in the area indicated in red outlines on the plan attached hereto.

The licence is granted subject to the provisions of the said Act and rules and more particularly to the following conditions, namely:—

PART 'A'.

Conditions of the Licence.

(i) This licence shall not be transferable.

(ii) It shall be in force for such period not exceeding two months as may be specified in the licence:

Provided that the Director may, on applications made to him at least one month before the expiry of the licence, extend the period of such licence by such time as he considers proper, subject to the conditions that the total period including the period originally fixed and the period so extended does not exceed six months;

(iii) The licence shall give the Director, the Collector of the District and the owner of the land to be excavated or in respect of which any operation as stated in rule 19 is to be carried on, at least fifteen days' notice in writing of the excavation or such operation;

(iv) The licence shall have to be present at site for atleast 3/4th period of the aforesaid operation, unless the Director by order exempts him for such presence;

(v) The licence shall not, without the permission of the Director dismantle or disturb any structures or antiquities found during his operations under the licence and shall make adequate arrangements for the safety of structures or antiquities till they are taken charge of by the Director. The licence shall inform the Director or the owner or the land of the discovery of any such structure or antiquities. He shall also inform the Director of the discovery of any antiquity in Form VI;

(vi) The licence shall not subject any antiquities discovered during his operation under the licence, to any chemical or electrical appliances of mining, without the permission of the Director;

(vii) The licence shall not impose any restriction on the inspection by any Archaeological Officer of his operations under the licence or the structures or antiquities discovered during such operation. The licence shall not also object to the taking of notes on or the filming of the structure or antiquities so discovered, by an Archaeological Officer;

(viii) The licensee shall give at least 15 days' notice in writing to the Director before he discontinues his operations under the licence, unless the discontinuance of such operation is caused by causes beyond the control of the licence or on account of the expiration of the period of licence;

(ix) The licensee shall, within three months of the completion of his operation under the licence, submit to Director a summary of the result of the operations carried on by him and where the operations continue for more than three months, such report shall be submitted

every quarter and it shall be opened to the Director to publish the contents of the report in his reports or reviews.

.....day of....19

Signature of the Director of
Archaeological, Rajasthan,
Jaipur.

.....Station.

.....Date.

Seal of the Department of
Archaeology, Government
of Rajasthan.

FORM VI.

(See Rule 21(v))

Form of the information to be submitted by the licensee regarding
discovery of antiquities.

To,

The Director,
Archaeology & Museums,
Rajasthan, Jaipur.

Dear Sir,

During the operations carried on under the Licence No
dated.....granted by you, the following antiquities, particular
raised below have been discovered. Adequate arrangements have been
made for their safe custody:—

Particulars of antiquities discovered:—

1. Class & antiquities.

2. Material.

3. No. of antiquities.

(a) complete.

(b) fragments.

4. Conditions at the time of discovery.

5. Nature of arrangement made for their safe custody, including name of the person in whose custody and the place where antiquities discovered are placed.

6. Remarks.

Dated.....

Signature of the licensee.

FORM VII.

[See rule 22]

Form of the report on the antiquities discovered as a result of excavation
in a protected area.

Name of site

Locality

District

State

Report for the period;

From

To

S. No.	Class of antiquities Material	No. of antiquities/ Complete Frag- mantry.	Approxi- mate age	Remarks.
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Station.....

Signature of licence or
Excavator.

Dated.....

Note:—In the case of pottery the approximate number is to be stated.

FORM VIII.

(See rule 24)

Application for licence for mining, quarrying, excavating, blasting etc.
within a regulated area.

1. Name and address of the applicant.

2. Name of the monument near or adjoining which the regulated
area is situated.

Locality District

3. Nature and details of the proposed mining operation/construction in respect of which permission is sought. (A site-Plan in triplicate showing in red outline the location of the building in relation to the monument and the regulated area and plan and elevation of the building should be attached; and the colour, external appearance and method of the screening of the building and depth down to which the soil will be excavated for the appurtenances of the building should be specified).

4. Purpose of the proposed mining operation/construction.

5. Approximate duration and date of commencement of the proposed mining operation/construction.

I declare that the above information is correct. I also undertake to observe the provisions of the Rajasthan Monuments, Archaeological site and antiquities Act, 1961 and the rules made thereunder.

Seal of the
Organisation.Station
DateSignature of the
applicant.

FORM IX

(See rule 24)

Licence for mining/quarrying/excavating/blasting operations etc. within
a regulated area.

Whereas.....of.....has applied for a licence for regulated area near or adjoining.....at.....District and has under-taken to observe the provisions of the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961 and the rules made thereunder.

I,..... Director of Archaeology, do hereby grant this licence under-rule (4) of rule (24) of the said rules to the said for..... in the area indicated in red outline on the plan attached hereto.

The licence is granted subject to the provisions of the said Act and rules and is further subject to the following conditions, namely:—

PART (A).

Conditions of the Licence.

(i) The licence shall not be transferable;

(ii) It shall be in force for such period not exceeding two months as may be specified in the licence;

Provided that the Director may, on application made to him at least one month before the expiry of the licence, extend the period of such licence by such time as he considers proper, subject to the condition that the total period including the period originally fixed and the period so extended does not exceed six months;

(iii) The licensee shall give to the Director, the Collector, of District and the owner of the land to be excavated or in respect of which any operation as stated in rule 19 is to be carried on, at least fifteen days in writing of the excavation or such operation;

(iv) The licensee shall have to be present at the site for at least 3/4th period of the aforesaid operation, unless the Director by order exempts him for such presence;

(v) The licensee shall not, without the permission of the Director dismantle or disturb any structures or antiquities found during his operations under the licence and shall make adequate arrangements for the safety of structures or antiquities till they are taken charge of by the Director. The licensee shall inform the Director or the owner of the land of the discovery of any such structures or antiquities. He shall also inform the Director of the discovery of any antiquity in Form VI;

(vi) The licensee shall not subject any antiquities discovered during his operations under the licence, to an chemical or electrical appliances of mining, without the permission of the Director;

(vii) The licensee shall not impose any restriction on the inspection by any Archaeological Officer of his operations under the licence or the structures or antiquities discovered during such operation. The licensee shall not also object to the taking of notes on or the filming of the structures or antiquities so discovered by an Archaeological Officer.

(viii) the licensee shall give at least 15 days' notice in writing to the Director before discontinuance his of operations under the licence, unless the discontinuance of such operation is caused by causes beyond the control of the licensee or on account of the expiration of the period of licence;

(ix) the licensee shall within three months of the completion of his operations under the licence, submit to the Director a summary of the result of the operations carried on by him and where the operations continue for more than three months, such reports shall be submitted every quarter and shall be opened by the Director to publish the contents of the reports or review.

The licence shall be valid for.....commencing with.... ..day of.....19 ..

Date..... Seal of the Director
Station....

Signature of the
Director of
Archaeology, Rajasthan.

FORM X

(Gazette notification for declaring antiquities as protected).

Whereas the Government of Rajasthan is of the opinion that paintings/sculptures, coins, ancient manuscripts (illustrated)/chart object specified in the schedule before is of State importance. Now, therefore, in exercise of the powers conferred by sub-section (i) of section 3 of the Rajasthan Monuments, the Government of Rajasthan hereby gives notice of its intention to declare the antiquities specified in the schedule below to be of State importance. Any objection made within two months after the issue of this notification by any person interested in the same antiquity or antiquities will be considered by the Government.

SCHEDULE

S.No.	Name and Description of the monument/Antiquity	Locality	District	Importance
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Signature and Seal of the Director,
Archaeology & Museums,
Rajasthan, Jaipur.

FORM XI.

Application for moving of antiquities

1. Name and address of the applicant.
2. Name of the place from which antiquities are to be moved.
Locality District. State.
3. Description of antiquities proposed to be moved (Photographs showing details of the antiquities should be attached).
4. Reasons for their removal.
5. Approximate date of moving.
6. Their present market value or recorded value.

I declare that the above information is correct.

Date..... Station Signature of the applicant.

SCHEDULE IV.

(See rule 12, 20 and 24)

Part A Fees payable under rule 12.

S.No.	Name of the monument.	Amount of fee.	Remark.
1.	2	3	4
1.	Amber Palace, Jaipur.	Rs. 500/- per day	With conveyance and admission Fee.
1	2	3	4
2.	Nahargarh Fort, Jaipur.	Rs. 500/- per day.	With admission fee only
3.	Mardana Palace, Udaipur	Rs. 500/- -do-	-do-

- Note:*—1. For other monuments in Rajasthan Rs. 100/- per day without admission and conveyance fee.
2. Fifty percent of the fee is chargeable for subsequent days upto the maximum of 5 days.

PART B

- (a) Rs. 1000/- for the grant of licence for excavation for archaeological or historical purposes in any protected area;
- (b) Rs. 1000/- for the grant of licence for construction of any building in any protected area ;
- (c) Rs. 1000/- for the grant of licence for excavation for purposes other than historical or archaeological purposes or for carrying on mining, quarrying, blasting, or any other operation of like nature in any protected area.

PART C

Fees payable under rule 24 (4) for the grant of licence for mining, quarrying, excavating, blasting, or any other operations of a like nature in regulated areas fixed under rule 24 (1).

Rs.
1000/-.

FORM OF FIRST NOTIFICATION

(Under section 3 of the Act)

Whereas the Monument/Sites/Antiquity named below is proposed to be declared as protected, the Government of Rajasthan, in exercise of the powers conferred by sub-section (1) of section 3 of the Rajasthan Monuments Archaeological Sites and Antiquities Act, 1961 (Act No. 19 of 1961), hereby gives notice of its intention to do so.

Any object made by any interested person within two months from the date of affixing this notification shall be considered by the Govt.

Pub. in Raj. Gaz. . 4 (Ga)-Dt. 24-4-69-Page 3]

Rules and Notifications under

MOTOR TRANSPORT WORKER'S ACT, 1961.
(CENTRAL ACT No. 27 of 1961)

Notification under

Motor Transport Workers Act, 1961

Labour & Employment Department

Notification S. O. 95, dated July 23, 1969.—In exercise of the powers conferred by sub-section (1) of section 4 of the Motor Transport Workers Act, 1961 (Central Act 27 of 1961), and in supersession of this Department Notification No F. 1 (1) (1) L & E/67 dated the 31st October, 1967 the State Government hereby appoints the Deputy Labour Commissioner (II), Rajasthan Jaipur as the Chief Inspector for the purpose of the said Act, for the State of Rajasthan.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II) Dt. 23-7-69]

Rules and Notifications under

MOTOR VEHICLES ACT 1939.
(CENTRAL ACT No 4 OF 1939).

MOTOR VEHICLES ACT, 1939.

Home 'B' Department

Notification S. O. 53, dated June 8, 1970.—In exercise of the powers conferred by clause (i) of sub-section (1) of section 43 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939) and in supersession this Department Notification No. F. 1 (9) (19) H. (B Gr. I)/65, dated the 25th October, 1966, the State Government in partial modification of the directions published vide Notification No. D. 10495/T. C./50/XX, dated the 29th March 1951 in the Rajasthan Gazette, Part IV-B, dated the 20th March 1951 (hereinafter referred to as the said directions), hereby issue the following directions to the State Transport Authority after considering the objections to the notification as previously published in the Rajasthan Gazette, Part 3 (kha), dated the 27th November, 1969, as required by the proviso to the said sub-section, namely.—

DIRECTIONS

For item 1 of the said directions, the following shall be substituted, namely.—

"1. Fare exclusive of Passengers Tax leviable under the Rajasthan Passengers and Goods Taxation Act, 1959 for State Carriages playing on all classes of routes in Rajasthan Shall be as under.—

Stage Carriages .

1. 'A' Class Route.

(a) *Ordinary Service*

(i) For first 250 Kilometers.

3.5 paise per Kilometer per passenger.

(ii) Beyond 250 Kilometers.

3 paise per Kilometer per passenger.

(b) *Express Mail*

(i) For first 250 Kilometers.

4 paise per Kilometer per passenger.

(ii) Beyond 250 Kilometers.

3 paise per Kilometer per passenger.

2. 'B' Class Route

4 paise per Kilometer per passenger.

3. 'C' Class Route.

5 paise per Kilometer per passenger.

Explanation No. I—These rates shall be the maximum rates subject to the condition that the minimum fare chargeable shall be 40 paise upto 10 Kilometers.

Explanation No. 2—‘Express ‘Service’ means a service that does not stop at any place before running atleast 40 Kilometers except at stops specially permitted by the Regional Transport Authority or the State Transport Authority, as the case may be. Express Buses shall be fitted with Dunlop Rubber Seats.”

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 8-6-70-Page 115]

Home (B. Gr. I) Department

Notification No. F. 1 (3)/32/Home (B. Gr. I) 62, dated June 19, 1968.—In exercise of the powers conferred by section 110 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the State Government hereby makes the following amendment to this Department Notification No. F. 1 (3)/32/H. (B. Gr. I.) 62, dated the 7th October, 1966, hereinafter called the ‘said notification’ published in the Rajasthan Gazette Part IV (C), dated 27th April, 1967, namely.—

AMENDMENT

In the said Notification the following new para shall be added and shall always be deemed to have been added.—

“The cases pending on the date of issue of this Notification before the Motor Accidents Claims Tribunal reconstituted under Notification No. F. 12 (1)/31/H. (B. Gr. 1)/62, dated the 20th July, 1966 shall stand transferred for disposal to the respective Motor Accident Claims Tribunals reconstituted under this Notification and having jurisdiction to try the same.”

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 11-7-68- Page 119]

RAJASTHAN MOTOR VEHICLES RULES, 1951.

Home 'B (I)' Department

Notification G.S.R. 19, dated December 31, 1969.—In exercise of the powers conferred by section 41 of the Motor Vehicles Act, 1939, (Central Act 4 of 1939), the State Government hereby makes the following amendment to the Rajasthan Motor Vehicles Rules, 1951, the same having been previously published as required by section 133 (1) of the said Act, in the Rajasthan Gazette, Part III (B), dated the 19th June, 1969, namely:—

AMENDMENT

In the Eighth Schedule to the Rajasthan Motor Vehicles Rules, 1961 for sub-item (2) of item 13, the following shall be substituted, namely:—

“(2) Transport Vehicles other than light vehicles and trollies attached to tractors used by the Agriculturists for agricultural purposes:

Provided that an undertaking by the owner of the vehicle is given to the Taxation Officer, to the effect that such tractor-trailer shall not be used for commercial purposes.”

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 14-5-70—Page 82]

Home (B. Gr. I) Department

Notification G.S.R. 28, dated May 27, 1970.—In exercise of the powers conferred by section 68 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the State Government hereby makes the following rules further to amend the Rajasthan Motor Vehicles Rules, 1951, the same having been previously published in the Rajasthan Gazette, Part III (B), dated the 4th September 1969, namely:—

RULES

1. These Rules may be called the Rajasthan Motor Vehicles (Amendment) Rules, 1970.

2. In the Rajasthan Motor Vehicles Rules, 1951, for sub-rule (1) of Rule 78, the following sub-rule shall be substituted namely:—

“(i) The State Transport Authority or a Regional Transport Authority may, by a general or special resolution delegate subject to such conditions and restrictions as it may think proper any of the powers and functions specified below to the officers and authorities mentioned below:—

I. To the Secretary, R. T. A./S. T. A.

(a) Powers to grant or refuse to grant a private carrier's permit under section 42 or 53 of the Act;

(b) Powers to renew private carriers permit and contract carriages permit under section 58 of the Act;

(c) Powers to compound any case of breach or infringement of the provisions of the Act or the Rules under section 60 (3) of the Act;

(d) Powers to regulate the time-table of State Carriages under section 48 (3) (iii) & (iv) of Act;

(e) Powers to issue notice to the holder of a permit under section 60 of the Act;

(f) Powers to Permit replacement of one vehicle by any other vehicle or better model under section 59 (2) of the Act;

(g) Powers to issue temporary permit under section 62 of the Act;

(h) Powers to countersign permit of the other States in pursuance of Inter-State Agreements under section 63 of the Act;

II. To a Registering authority within its jurisdiction all or any of its powers under section 62 of the Act regarding the grant of temporary permits.

[Pub. in Raj. Gaz. 4 (Ga) -Dt. 4-6-70 Page 106]

Motor Vehicles Act, 1939.

HOME (B. Gr. I) DEPARTMENT

Notification G. S. R. 68, dated August 30, 1969.—In exercise of the powers conferred by clause (i) of sub-section (1) of Section 43 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the State Government hereby makes the following amendment to the directions (as published vide notification No. D. 1095/T.C./50/XX, dated 29th March, 1951 in the Rajasthan Gazette, Extraordinary, Part IV B, dated 30th March, 1951 and hereinafter referred to as the said directions) the same having been previously published in the Rajasthan Rajpatra, Part III-B dated the 3rd November, 1966, as required by the proviso to the said sub-section, namely:—

AMENDMENT OF DIRECTIONS

For item 2 of the said directions, the following shall be substituted, namely:—

“2. The freights exclusive of Goods Tax leviable under the Rajasthan Passengers and Goods Taxation Act, 1959, for public Carriers plying on all classes of routes in Rajasthan shall be as under:—

Public Carriers

- | | |
|---|--------------------------------------|
| (a) Maximum freight to be charged for carrying load per single trip on 'A' Class route. | 2.7 paise per quintal per kilometer. |
| (b) Maximum freight to be charged for carrying load per single trip on 'B' Class route. | 3.2 paise per quintal per kilometer. |
| (c) Maximum freight to be charged for carrying load per single trip on 'C' Class route. | 4.5 paise per quintal per kilometer. |

[Pub. in Raj. Gaz. 4 (Ga)(I) —Dt. 30.10.69 Page 169],

RAJASTHAN TOURIST VEHICLE RULES, 1969.

Home 'B' (1) Department

Notification G. S. R. 81, dated the 31st December, 1969.—

In exercise of the powers conferred by section 68 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the State Government hereby makes, the following Rules, the same having been previously published in the Rajasthan Gazette Part III (B) dated the 15th July, 1965, as required by sub-section (1) of section 133 of the said Act, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Tourist Vehicles Rules, 1969.

(2) They shall come into force at once.

2. *Definitions.*—In these rules, unless the context otherwise require.

(a) "Permit" means a permit issued under section 51 of the Motor Vehicles Act, 1939;

(b) "Schedule" means a schedule annexed to these rules.

(c) "State" includes a Union Territory,

(d) "Tourist Motor Cab" means a Motor cab on the permit relating to which an endorsement is made by the State Transport Authority to the effect that it is a tourist motor cab;

(e) "Tourist Omnibus" means an Omnibus on the permit relating to which an endorsement is made, by the S.T.A. to the effect that it is a tourist omnibus;

(f) "Tourist Vehicle" means a tourist motor cab or a tourist omnibus.

3. *Endorsement on the permit of vehicles.*—(1) The State Transport Authority may, in accordance with the provisions of this rule, make an endorsement on any permit in the State in relation to any motor cab or omnibus to the effect that the vehicle to which the permit relates is an all India tourist vehicle:

Provided that at no time shall the total number of—

(i) Motor cabs in respect of which such endorsements are in force shall exceed fifty; and

(ii) omnibus in respect of which such endorsements are in force shall exceed ten.

(2) Any person who holds a permit issued in the State in relation to a motor cab or an omnibus may apply in the form specified in schedule I, to the State Transport Authority for an endorsement on the permit to the effect that the Vehicle to which the permit relates is a tourist vehicle.

(3) An application under sub-rule (2) shall be accompanied by a fee of Rs. 50/- and 100/- for Motor Cabs and Omnibus respectively and shall be made not less than six weeks before the date on which it is desired that the endorsement shall take effect or, if the State Transport Authority appoints a date for the receipts of such applications, on such date.

(4) On receipt of an application under sub-rule (2) the State Transport Authority shall make the application available for inspection at the office of that authority and publish the application or the substance thereof in the Official Gazette together with a note of the date before which representations in connection therewith may be submitted by—

- (i) any person who holds a permit on which an endorsement has been made under this rule;
- (ii) any local or police authority in the State and the date not being less than thirty days from such publication, on or after which the application and any representation received will be considered:

Provided that, if the making of any endorsement in accordance with the application would have the effect of increasing the number of vehicles bearing such endorsements beyond the limits fixed in that behalf under the proviso to sub-rule (1) or if the vehicle in respect of which the application is made is registered more than one year before the date of the application the State Transport Authority shall summarily reject the application without following the procedure laid down in this rule.

(5) No representation in connection with an application referred to in sub-rule (4) shall be considered by the State Transport Authorities unless it is made in writing before the appointed date and unless a copy thereof is furnished simultaneously to the applicant by the person making such representation.

(6) The State Transport Authority shall, having regard to the provisions of sub-rule (7) and the representations, if any, made under sub-rule (4) in relation to an application consider the application and may either make the endorsement or refuse for reasons to be recorded in writing to make.

(7) In making or refusing to make an endorsement, the State Transport Authority shall have regard among other things to the suitability of the vehicle for tourist purposes and the interest of the public generally.

(8) Any person aggrieved by the order of the State Transport Authority refusing to make an endorsement under sub-rule (6), may prefer an appeal, in the form of a memorandum signed by the applicant, to the Secretary to the Government in Home (Transport) Department within fourteen days of receipt of such

Rajasthan Tourist Vehicles Rules, 1969.

[3]

order. The memorandum shall be accompanied by a fee of Rs. 15/- and a copy of the order appealed from. The decision of the State Government on an appeal under this sub-rule shall be final.

4. Validity of endorsement and cancellation or suspension of endorsement.—(1) An endorsement made on a permit under rule 3 shall cease to be valid on the expiry of the period for which that permit has been granted.

(2) If the State Transport Authority has reason to believe that a vehicle on the permit relating to which an endorsement has been made by it under rule 3—8

(a) has been, or is being, used in contravention of the provisions of rules 6, 7 and 8;

(b) being an omnibus, fails to comply with the requirements of sub-rules (3) and (4) of rule 9 or has been or is being, used in contravention of the provisions of sub-rules (1) and (2) of that rule that authority may, after giving the holder of the permit an opportunity to be heard, either suspend the endorsement for such period as it may think fit or cancel the endorsement.

(3) Any person aggrieved by the order of the State Transport Authority under sub-rule (2) may prefer an appeal, in the form of a memorandum signed by the appellant, to the Secretary to the Government, Home (Transport) Department within fourteen days of the receiving of such Order. The Memorandum shall be accompanied by a fee Rs. 15/- and a copy of the order appealed from. The decision of the State Government shall be final.

5. Information of endorsement to be sent to other State Transport Authorities.—(1) Where an endorsement is made by the State Transport Authority under rule 3, that authority shall forward to each of the State Transport Authorities in the other States information relating to the endorsement and the vehicles which the endorsement relates in the form specified in Schedule II.

(2) Where an endorsement is suspended or cancelled by the State Transport Authority under sub-rule (2) of rule 4, that authority shall forward to each of the State Transport Authorities in the other States :—

(i) information relating to the suspension or cancellation in the form specified in Schedule III, and

(ii) where an appeal has been preferred against such suspension or cancellation, a copy of the decision in such appeal.

(3) The State Transport Authority shall also forward, at intervals of three months, a statement in the form specified in Schedule IV giving classified information in regard to the

endorsement made by that Authority under rule 3 which are valid on the date of the statement.

6. Tourist Vehicles not to be used for carriage within the State. No tourist vehicle shall be used for any carriage for hire or reward in which, according to the contract made by the parties, the place of departure and the place of destination are both situated within the State.

7. *Special rules for drivers and conductors of tourist vehicles.*—

(1) The driver of a tourist vehicle shall :—

(a) wear a khaki or a white uniform consisting of long trousers and a bush-shirt or coat having two pockets, with the letter 'T' sewn on the left hand pocket of the bush-shirt or coat;

(b) possess at least an elementary knowledge of the mechanism and maintenance of the vehicle he drives;

(c) have a working knowledge of Hindi and English :

Provided that where the driver is accompanied by a conductor having a working knowledge of either of both the languages, it shall not be necessary for the driver to possess a working knowledge of that language or of both the language as the case may be.

(2) The conductor, if any, of a tourist vehicle shall wear the same uniform as a driver is required to wear under sub-rule (1)

8. *The Special rules as to painting & marking of Tourist Vehicles*—Tourist Vehicle shall permanently display on it, the letter 'T' and the Serial Number allotted by the authority making the endorsement on the permit relating to the vehicle shall be painted on the front fender of the tourist vehicle. The letter and numeral shall be painted on a white surface enclosed by a circle drawn in red and shall not be less than 5 c. m. in height and 4 c. m. in breadth.

9. *Special rules as to tourisc omnibus.*—(1) Every tourist omnibus shall have a conductor.

(2) No tourist vehicle shall carry more than twenty-nine persons excluding the Driver and the conductor :

Provided that this restriction shall not apply to a specially built Tourist Omnibus to carry sight-seeing group of tourists ranging from 40 to 50 persons.

(3) A tourist bus shall be constructed so as to provide for gangway, seating space, seats, headroom or internal height, driver's seats, urinal etc., in accordance with the specifications given in Schedule V.

(4) The following amenities shall be provided in a tourist bus, namely :—

(a) Radio;

- (b) Loudspeaker;
- (c) Reading material such as Newspapers, periodicals etc; and
- (d) Arrangements for supply of drinking water.

10. *Countersignature not necessary in respect of tourist vehicles belonging to other States.*—Subject to the provisions of rules 6, 7, 8 and 9 a permit granted in relation to any tourist omnibus in any other State shall be valid in the State without countersignature, if there are in force in that other State rules similar to these rules.

SCHEDULE I

[See rule 3 (2)]

Application for the grant of endorsement in the permit of a motor cab/omnibus for country wide operation under the Rajasthan Tourist Vehicles Rules, 1969.

1/We the undersigned apply for endorsement on the following permit for country wide operation :—

1. Description of permit.
2. (i) Number of permit and the date of issue.
- (ii) Date of expiry.
- (iii) Particulars of vehicle (s)
1. Make of the vehicle.....
2. Year of manufacture.....
3. (a) Year of Registration
- (b) Registration No.....
- (4) Type of body.....
5. Number of cylinders.....
6. Horse Power
7. Chassis Number.....
8. Engine Number.....
9. Seating Capacity
10. Laden weight
11. Unladen weight
12. colour of body.....
13. Date of grant of Permit.....
14. Date of grant of endorsement
15. Date on which the permit or the endorsement will expire.....

3. I/We declare to fulfil/abide by the conditions laid down in Rajasthan Tourist Vehicles Rules, 1969.

4. This is with reference to the circular date..... inviting applications for the endorsement.

(N. B. Strike out the portion that is not applicable).

Signature or thumb impression of applicant (s).
(To be filled in the office of the Transport Authority.)

1. Date of receipt.
2. Date of publication.
3. Date or dates of hearing of objections.
4. Granted subject to the Rajasthan Tourist Vehicles Rules, 1969.

Granted in modified form on the day of
19 subject to the Rajasthan Tourist Vehicle Rules, 1969. The serial number allotted to the vehicle is rejected.

Secretary,
State Transport Authority.

SCHEDULE II

See rule 5 (1)

Intimation to the State Transport Authorities in other State regarding grant of endorsement on the permit to a vehicle under the Rajasthan Tourist Vehicles Rules, 1969.

To

The State Transport Authority
.....

The permit relating to the following transport vehicle (s) has been endorsed for operation as tourist vehicle (s) under the Rajasthan Tourist Vehicles Rules, 1969.

No.	Serial number allotted to the vehicle.	Type of vehicle.	Year of manufacture.	Year of registration and registration No.	Type of body.	Number of cylinders.
1	2	3	4	5	6	7
Horse power.	Chassis Number.	Engine Number.	Seating capacity.	Laden weight.	Unladen weight.	Colour of body.
8	9	10	11	12	13	14

Secretary,
State Transport Authority.

SCHEDULE III

[See rule 5 (2)]

Intimation to the State Transport Authorities in other States regarding suspension and cancellation of endorsement on the permit of a tourist vehicle under the Rajasthan Tourist Vehicles Rules, 1969.

To

The State Transport Authority.
.....

The endorsement granted on permit No. in respect of tourist vehicle bearing serial number registered in the name of and communicated to you under this

Authority's letter No.....dated.....been suspended/cancelled with effect from.....day of.....19.....
under rule 4 (2) of the Rajasthan Tourist Vehicles Rules, 1969.

Secretary,
State Transport Authority.

SCHEDULE IV

[See rule 5 (3)]

Intimation to the State Transport Authorities in other States regarding grant of endorsement on the permit relating to the vehicles during the quarter ending.....19.....
To

The State Transport Authority,

.....
The permits relating to the Motor Vehicles particulars of which are given below bear valid endorsements for operation as tourist vehicles on.....

Number	S No.	Class of	Make	Registration	Permit	Date of
	allotted	Vehicles	Model	Number.	No.	expiry of
	to vehicles	(Motor and year	of Manu			permit.
		cab)	facture.			
1	2	3	4	5	6	7

Secretary.

State Transport Authority.

SCHEDULE V

As required by Rule 9 (3) of the Rajasthan Tourist Vehicles, Rules, 1969, a tourist vehicle (Omnibus) shall be constructed so as to provide for the following :—

1. A gangway having width of 15" and length of 21' x 2"
2. No. of seats shall be (30) excluding Driver and the Conductor.

3. The size of each seat will be 16" x 37".

4. The Head Room or internal height will be 71"

5. The Driver's seat will be of the 14" x 19" and*

6. The urinal will cover in area of 37" x 53".

*The Driver Cabin shall be separated from the rest of the bus by a sound proof partition to avoid diversion to the Driver's attention by the radio.

Secretary,
State Transport Authority.

[Pub. in Raj. Gaz. Ex. 4 (Ga)(I)—Dt. 31-12-69-Page 257]

**Rajasthan State Road Transport Corporation, Motor Vehicles
Third Party Liability Insurance Fund Rules, 1967**

Home (B Gr. I) Department

Notification S. O. 15, dated February 14, 1969.—In pursuance of rule 3 of the Rajasthan State Road Transport Corporation, Motor, Vehicles Third Party Liability Insurance Fund Rules, 1967, the State Government hereby directs that the Corporation shall contribute a sum of Rs. 100/— per vehicle per year to the Motor Vehicles Third Party Liabilities Insurance Fund established by the Corporation vide Order Number Acc-
cts/Com/Ins/Motor/7513, dated the 10th December, 1968.

[Pub. in Raj. Gz. 4 (Ga) (II)—Dt. 1-5-69 Page 14]

Rules and Notifications under

MOTOR VEHICLES TAXATION ACT, 1951 THE
RAJASTHAN (9 OF 1951).

Rajasthan Motor Vehicles Taxation Rules, 1951.

Home (B. Gr. I) Department

Notification G.S.R. 32, dated August 20, 1969.—In exercise of the powers conferred by section 22 of the Rajasthan Motor Vehicles Taxation Act, 1951, (Rajasthan Act 11 of 1951), the State Government hereby makes the following rules further to amend the Rajasthan Motor Vehicles Taxation Rules, 1951, namely.—

1. These rules may be called the Rajasthan Motor Vehicles Taxation (Amendment) Rules, 1969.

2. In rule 32 of the Rajasthan Motor Vehicles Taxation Rules, 1951—

(i) After the expression "Taxation Officer" the expression 'or Motor Vehicles Inspector' shall be inserted; and

(ii) for the existing proviso, the following proviso shall be substituted, namely.—

"Provided that in no case such sum shall exceed fifty rupees or the amount of annual tax payable in the motor vehicle concerned, whichever is higher."

[Pub. in Raj. Gaz. Ex 4(Ga)-(I)-Dt. 4-9-69—Page 126]

Rajasthan Motor Vehicles Taxation Act, 1951.

HOME 'B' (1) DEPARTMENT

Notification No. F.1(1)/1/H(B—Gr—1)67, dated January 9, 1968.—In exercise of the powers conferred by sub-section (1) of section 3 of the Rajasthan Motor Vehicles Taxation Act, 1951 (Rajasthan Act 11 of 1951), read with rule 61 (a) of the Rajasthan Motor Vehicles Rule, 1951, the State Government hereby exempts all the Motor Vehicles belonging to the American Peace Corps used in Rajasthan in connection with the Peace Corps programme and project.—

(i) totally from payment of tax imposed by the said Act, and,

(ii) from payment of registration fee payable under the said Rule, subject to the condition that a certification to the effect that the vehicles belong to the American Peace Corps is produced before the Taxation Officer concerned.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 15-2-68—Page 1062]

HOME 'B' (I) DEPARTMENT

Notification G.S.R. 87, dated January 24, 1970.—In exercise of the powers conferred by sub-section (1) of section 3 of the Raj. Motor Vehicles Taxation Act, 1951 (Raj. Act XI of 1951) the State Government hereby exempts all Tractors except those fitted with compressors, used for carrying out agricultural operations and every trailer attached to or drawn by such tractor, plying in Rajasthan, from payment of tax payable under the said Act, subject to the condition that an undertaking by the owner of the vehicle is given to the Taxation Officer to the effect that such Tractor-trailer shall not be used for commercial purposes.

Explanation.—For the purpose of this Notification the expression “agricultural operations” shall mean tilling, sowing, harvesting or crushing of agricultural produce, or any other similar operation carried out for the purpose of agriculture and shall include carrying of produce of farm to market-towns and manure and seeds from market towns to farm.

[Pub. in Raj. Gaz. Ex.4 (Ga) (I)—Dt. 24-1-70 Page 304]

HOME(B. GR.—I) DEPARTMENT

Notification G.S.R. 117, dated February 23, 1970.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Rajasthan Motor Vehicles Taxation Act, 1951 (Rajasthan Act XI of 1951), the State Government hereby makes the following amendment in this Department Notification No. F. 1(3)/

17./H.(B Gr. 1)/63, dated the 24th January 1970 published in an extra ordinary issue of Rajasthan Gazette, Part 4-(C), dated the 24th January, 1970, namely.—

AMENDMENT

“In the said notification, after the words “from payment of tax payable under the said Act”, the words and figures “with effect from 1st January, 1970”, shall be inserted, and shall always be deemed to have been inserted”.

[Pub. in Raj. Gaz. 4 (Ga) (I)-Dt. 12-3-70—Page 260]

Rules and Notifications under

MUNICIPALITIES ACT, 1959.

(RAJ. ACT No. 38 OF 1959)

Rajasthan Municipalities (Chairman and Members) Travelling Allowances Rules, 1964.

Local Self-Government Department

Notification G.S.R. 31, dated October 18, 1969—In exercise of the powers conferred by Clause (s) of sub-section (2) of section 297 of the Rajasthan Municipalities Act, 1959 (Act No. 38 of 1959), the State Government hereby makes the following amendment in Rajasthan Municipalities (Chairman and Members) Travelling Allowance Rules, 1964, namely.—

AMENDMENTS

For rule 4 of the said Rules, the following shall be substituted, namely.—

4 (1) Daily allowances.—

The rate of D.A. shall be as follows.—

(a) Chairman/Members of I Class and II Class Municipalities—Rs. 10/- per day.

(b) Chairman/Members of III, IV & V Class municipalities Rs. 8/- per day.

(2) The rate of Daily Allowance outside Rajasthan shall be Rs. 15/- per day for all Chairmans/Presidents/members of all the classes of municipalities.

[Pub. in Raj. Gaz. Ex. 4 (Ga.) (II)—Dt. 14-8-69 Page 124]

**The Rajasthan Municipalities (Prescribing Restrictions, Limitations,
And Conditions on Delegations Of Powers Duties And
Executive Functions) Rules, 1968.**

LOCAL SELF-GOVERNMENT DEPARTMENT

Notification No. Tax/Rules/F: 34/LSG/68, dated September 16, 1968.—In exercise of the powers conferred by clause (a) of sub-Section (2) of Section 297 of the Rajasthan Municipalities Act, 1959 (Rajasthan Act 38 of 1959) read with sub-section (1) of Section 78 thereof, the State Government hereby makes the following Rules, namely :—

1. Short title, extent and commencement.—(1) These Rules shall be called the Rajasthan Municipalities (Prescribing restrictions, limitations and conditions on delegation of powers, duties and executive functions) Rules, 1968.

(2) These shall come into force after one month from the date of their publication in the Rajasthan Rajpatra.

2. Repeal and Saving.—With commencement of these rules, all powers, duties and executive functions delegated by the Board shall stand repealed to the extent they are inconsistent with the provisions of these rules :

Provided that such repeal shall not affect the validity or invalidity of anything already done or suffered or any action already taken under the said delegation.

3. Definitions.—In these rules, unless the context otherwise requires :—

(1) 'Act' means the Rajasthan Municipalities Act, 1959 (Rajasthan Act 38 of 1959) ;

(2) 'Executive Officer' means the Executive Officer of the Board and includes the Commissioner of a Municipal Council and Secretary of a Board for which no Executive Officer has been appointed ;

(3) 'Municipality' means a Municipality established under the provisions of the Act ;

(4) 'Board' means a Board of a Municipality and includes a Council ;

(5) 'Authority' includes—(a) the Chairman, the Vice-Chairman, any committee, the chairman of any committee, the Executive Officer, the Secretary or one or more stipendiary or honorary officers of the Board to whom powers, duties and executive functions may be delegated by the Board under the provisions of the Act and (b) the President the Vice-President, any committee, the chairman of any committee, the Commissioner, the Secretary, one or more stipendiary or honorary officers of the Council to whom the powers, duties and executive functions may be delegated by the Council ;

(6) 'Government' means the Government of the State of Rajasthan.

4. Restrictions, limitations and conditions on delegation of powers, duties and executive functions of a Board.—(1) The Board, under the provisions of sub-section (1) of Section 78 or any other provisions of the Act shall not delegate to any authority any of its powers, duties and executive functions under the following sections of the Act :—

Sub-section (2) of Section 14, clause (5) and (6) of the proviso (d) to Section 26, 63 (1) (a), sub-sections (6), (7) and (15) of Section 65, 73, sub-section (3) of Section 75, 77 sub-sections (1), (2), (4) and (5) of Sections 80, 82, 88, 89, 90, 96, 97, 104, 105, 106, 108, sub-section (2) of Section 109, 112, 113, 114, 127, 128, 129, 133, 136, 156, 159, sub-section (4) of Section 162, 164, 166, 190, 191, 192, 193, 217, sub-section (2) of Section 226, 227, 233, 241, 242, 243, 244, 273, 276, 277, 278, 279, 282, proviso to sub-section (2) of Section 285, 309, sub-section (1) of section 310 and other Sections of the Act which may be inserted by the Government from time to time.

(2) The Board, if it considers to delegate any of its powers, duties and executive function shall delegate such powers, duties and executive functions only to the Executive Officer :—

Sub-section (3) of Section 4, 110, 111, 120, 121, 122, 123, 126, 134, 147, 149, 150, 155, 163, 170, 195, 196, 197, 198, 199, 203, 205, 206, 207, 208, 210, 211, 212, 222, 223, 226, 230, 234, 235, 253, 254, 255 and other Sections of the Act which may be inserted by the Government from time to time.

(3) The Board, in case any specific condition, procedure or manner has been laid down under any of the provisions of the Act for doing anything, passing any resolution or taking any decision, shall take action accordingly subject to the limitations of the said provisions of the Act.

(4) The Board shall not delegate any of its powers, duties and executive functions to any other authority inconsistent with the powers, duties and executive functions delegated or may be delegated by the Government to any particular authority under any Rules, Sub rules, Regulations, Notifications, Orders and Circulars issued or to be issued by the Government under the provisions of the Act.

5. Relaxation in the Restrictions, limitations, and conditions prescribed by the Government.—The Government may, if in its opinion reasonable grounds exist for so doing, grant in exceptional cases such relaxation wholly or partially as it considers necessary under the provisions of these Rules in general or for a particular Board.

Rajasthan Municipalities Election Order, 1960.

ELECTION DEPARTMENT

Notification No. F. 1 (2) M/Elec/II (CL-I)63/1378, dated April 18, 1968.—In exercise of the powers conferred by section 297 of the Rajasthan Municipalities Act, 1959 (Rajasthan Act 38 of 1959) read with section 29 thereof, the State Government hereby makes the following amendments in the Rajasthan Municipalities Election Order, 1960, namely:—

1. This order may be called the Rajasthan Municipalities Election (amendment) Order, 1968.

2. In clause 3 of the Rajasthan Municipalities Election Order, 1960, hereinafter referred to as the principal Order, para (ix) of sub-clause (1) shall be omitted.

3. For clause 5 of the principal Order, the following shall be substituted, namely;—

“5. *Appointment of Returning Officer.*—Subject to any general or special direction of the State Government, the Collector shall appoint any Gazetted Officer to be the Returning Officer for conducting election or bye-election in any ward or wards of a Municipality.”

4. In clause 10 of the principal Order—

(a) In sub-clause (2), for the figure “15” the figure “14” shall be substituted.

(b) For sub-clause (3), the following sub-clause shall be substituted, namely:—

“(3) If at an election, where a poll has been taken, a candidate by whom or on whose behalf the deposit referred to in sub-clause (1) has been made, is not elected and the number of valid votes polled by him does not exceed one sixth of the total No. of valid votes polled by all the candidates or in the case of election of more than one member from a ward, one sixth of the total number of valid votes polled, divided by the number of members to be elected, the deposit shall be forfeited to the Municipal Board/Council.”

(c) In sub-clause (4) for the words “after the publication of the result in the official gazette” the words “after the declaration of the result by the Returning Officer” shall be substituted.

5. In clause 13 of the principal Order—

(a) In sub-clause (1) for the words “at least four days before the date fixed for election” the words “before the last date of withdrawal” shall be substituted.

(b) For sub-clause (2), the following sub-clause shall be substituted, namely:—

"(2) The name and description of every such candidate for each ward shall be shown in the said list as it appears in his nomination paper and shall be arranged for each ward in Hindi alphabetical order in Devnagri script. In the case of Double Member Ward, the list shall also indicate the name and description of the candidate belonging to the Scheduled Caste or Scheduled Tribe, as the case may be, when standing for a reserved seat."

6. Clauses "14 and 15" of the principal Order shall be renumbered as clauses "14 and 15" respectively.

7. For clause 16 of the principal Order the following clause shall be substituted, namely:—

"16. *Publication of list of contesting candidates.*—(1) Immediately after the expiry of the period within which candidatures may be withdrawn under sub-clause (1) of clause 14 and after the symbols have been allotted under clause 15, the Returning Officer shall prepare a list of contesting candidates in Form V-A and publish it by affixing it on the notice board of the Municipal Board/Council at its office and at his office.

(2) The said list shall contain the names in Hindi alphabetical order in Devnagri script and the description of the contesting candidates as given in the list of validly nominated candidates.

8. In clause 23 of the principal Order, for the words "in the list of valid nominations," the words "in the list of contesting candidates" shall be substituted.

9. In clause 25 of the principal Order, the proviso shall be omitted.

10. In sub-clause (2) of clause 52 of the principal Order, after para (iii), the following proviso shall be inserted, namely:—

"Provided that no cover containing tendered ballot papers shall be opened and no such paper shall be counted.

11. In the Form II appended to the principal Order, below the signatures of the proposer and the seconder the following declaration shall be substituted in place of existing declaration "(c)" and the declaration "(c)" shall be renumbered as declaration (d) thereof:—

"(c) I am sponsored at this election by the _____ party."

12. For Form IV appended to the principal Order, the following Form shall be substituted, namely:—

"FORM IV

[See Clause 13 (1)]

List of Validly Nominated Candidates.

Election to the.....Municipal Board/Council.

Sl. No.	Ward.		Name of Candidate.			Address of the candidate.
	Whether single or double.		Sl. No.	Name	Name of Father/ Husband.	
1	2		3	4	5	
Particulars of the caste or tribe of the candidate when standing for a reserved seat in double member ward.			Sex Age.			
	6		7	8	9	

Returning Officer.

Place.....

Date.....

13. In Form V appended to the principal Order, for the figures and brackets "15 (1)" the figures and brackets "14 (1)" shall be substituted.

14. After Form V appended to the principal Order, the following new Form shall be inserted, namely:—

"FORM V-A

[See Clause 16 (1)]

List of Contesting Candidates.

Election to the.....Municipal Board/Council.

Sl. No.	Ward		Name of Candidate.			Address of the candidate.	Symbol allotted.
	Whether Single or Double		Sl. No.	Name.	Name of Father/ Husband.		
1	2		3	4	5		
Particulars of caste or tribe of the candi- date when contesting from a reserved seat in a Double Member Ward.			Sex	Age			
	6		7	8	9		10

Returning Officer.

Place.....

Date.....

Notification under

RAJASTHAN MUNICIPALITIES ACT, 1959.

Local-Self Government Department

Notification No. Tax/F. 38 (Misc) (21) LSG/68, dated December 1, 1968.—In exercise of the powers conferred by subsection (2) of Section 92 of the Rajasthan Municipalities Act, 1959 (Rajasthan Act 38 of 1959), the State Government is hereby pleased to reserve in the public interest the following lands vesting in and belonging to the Municipalities;—

1. Lands lying within 30 meters 'both sides of any National High Way when passing through the Municipal limits from the centre of the Road:

2. Land lying within 15 meters both sides of any State Road falling within the Municipal limits and maintained by the Public Works Department of the State from the center of the Road.

Provided that the land so reserved shall neither be sold, leased or otherwise transferred nor it shall be let out to any person by the State Government.

[Pub, in Raj. Gaz. 4 (G) —Dt. 20-3-69—Page 423].

Rajasthan Municipalities Act, 1959.

Local-self Government Department

Notification No Tax/F.38(Misc) (21) LSG/68, dated December, 1, 1968.—In exercise of the powers conferred by sub-section (2) of section 92 of the Rajasthan Municipalities Act, 1959 (Rajasthan Act 38 of 1959), the State Government is hereby pleased to reserve in the public interest the following lands vesting in and belonging to the Municipalities.—

1. Lands lying within 30 meters both sides of any National High Way when passing through the Municipal limits from the centre of the Road;

2. Land lying within 15 meters both sides of any State Road falling within the Municipal limits and maintained by the Public Works Department of the State from the center of the Road.

Provided that the land so reserved shall neither be sold, leased or otherwise transferred nor it shall be let out to any person by the State Government.

[Pub. in Raj. Gaz. 4(Ga)-Dt. 20-3-69.—Page 423]

Local Self Government Department

Notification G.S.R. dated December 1, 1968.—In exercise of the powers conferred by sub-section (2) of Section 92 of the Rajasthan Municipalities Act 1959 (Rajasthan Act 38 of 1959), the State Government is hereby pleased to reserve in the public interest the following lands vesting in and belonging to the Municipalities—

1. Lands lying within 30 meters both sides of any National High Way when passing through the Municipal limits from the centre of the Road;

2. Lands lying within 15 meters both sides of any State Road Falling within the municipal limits and maintained by the Public Works Department of the State from the centre of the Road.

Provided that the land so reserved shall neither be sold, leased or otherwise transferred nor shall be let out to any person by the State Government.

[Pub. in Raj. Gaz. 4 (Ga).(I)—Dt. 1-5-69 Page 63]

Notifications under

RAJASTHAN MUNICIPALITIES ACT, 1959

Local self Government Department

Notification G.S.R. 118, dated March 12, 1969.—In exercise of the Powers conferred by sub-section (1) of section 299 of the Rajasthan Municipalities Act, 1959 (Rajasthan Act 38 of 1959) the State Government hereby delegates its powers under sub-section (2) of section 80 of the said Act to all the Collectors, to accord previous sanction to any sale of immovable property not exceeding rupees five thousand in value by any municipal Board (Excepting City Councils) within their respective jurisdictions.

[Pub. in Raj. Gaz. 4 (Ga) (I)—Dt. 12-3.70-Page 261]

Rajasthan Municipal Service Rules, 1963.

Notification No. F. 24 (4), DLB/66/68/11922-12122, dated May 15, 1968.—In exercise of the powers conferred by sub-section (1) and Clause (t) of sub-section (2) of section 297 of the Rajasthan Municipalities Act, 1959 (Rajasthan Act No. 38 of 1959), the State Government hereby makes the following amendment to the Rajasthan Municipal Service Rules, 1963, as amended from time to time, namely:—

Amendments

(1) In Clause (h) of Rule 2 the words “and includes a person placed on probation” shall be deleted.

(2) In sub-rule (1) of Rule 43 the words “a number of candidates equal to the number of vacancies to be filled in” shall be deleted and substituted by the words ‘suitable candidates’.

[Pub. in Raj. Gaz. Ex. 4 (Ga) —Dt. 17.5.68 Page 162.]

Notification N. F. 24 (4) DLB /66/68/11721-11921 dated May 15, 1968.—In exercise of the powers conferred by sub-section (1) and Clause (t) of sub-section (2) of section 297 of the Rajasthan Municipalities Act, 1959 (Rajasthan Act No. 38 of 1959) the State Government hereby makes the following amendment to the Rajasthan Municipal Service Rules, 1963 as amended from time to time, namely:—

Amendment

In sub-rule (2) of Rule 39 in the entry at Column No. 2 against serial No. 2, the bracket and the words “(including P.A. to President, Municipal Council, Ajmer)” as amended by Notification No. F. 24 (Integ.)/DLB/66/62073-74 dated 2-12-1966 shall be deleted.

[Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 17-5-68—Page 162]

Local Self-Government Department

Notification G. S. R. 37, dated August 23, 1969.—In exercise of the powers conferred by sub-section (1) and Clause (t) of sub-section (2) of section 297 read with section 299, 302, 304, 305, sub-section (2) of section 306, 307 and 308 of the Rajasthan Municipalities Act, 1959 (Act 38 of 1959) and all other provisions enabling it in this behalf, the State Government hereby makes the following rules, to amend the Rajasthan Municipal Service Rules, 1963, namely:—

The Rajasthan Municipal Service (Amendment) Rules, 1969.

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Municipal Service (Amendment) Rules, 1969.

(2) They shall come into force immediately after one month, from the date of their publication in the Official Gazette.

*Amendment of Rule 27:—*In sub-rule (1) of rule 27—

- (a) for the words temporary vacancy in the Service may be filled; occurring before the words by the Appointment Authority, the words "a vacancy in the Service may be temporarily filled" may be substituted;
- (b) in the said sub-rule after the proviso, the following further proviso shall be added, namely :—

"Provided further that if all the officers in the category from which appointment by promotion can be made under these rules have already been promoted and no officer is available for promotion from that category, the Appointing Authority may temporarily, for a period not exceeding one year, fill such vacancy by promotion from the category next below such category"

(Pub. in Raj. Gaz. Ex. 4 (Ga) (I) Dt. 23-8-69 Page 140)

Local Self Government Department

Notification G. S. R. 84, dated December 30, 1969.—In exercise of the powers conferred by sub-section (1) and clause (t) of sub-section (2) of section 297 of the Rajasthan Municipalities Act, 1959 (Rajasthan Act, 38 of 1959) the State Government hereby makes the following further amendments in the Rajasthan Municipal Service Rules, 1963, namely;—

Amendment

In the said rules—

1. In Rule 11—

- (i) for the figures "25" the figures "28" shall be substituted; and

- (ii) for the proviso (iv) together with its note, the following proviso shall be substituted, namely:—

"(iv) that the upper age limit in case of persons in the Municipal or Government service shall be forty years".

2. In the schedule annexed to the said rules;

- (i) against the entry at serial No. 3 in column 7 for the words "Graduate with Diploma in L.S.G." the following shall be substituted, namely:—

"Graduate with Diploma in L.S.G; or Post Graduate Degree in Public Administration; or Diploma in L.G.S."

- (ii) against the entry at serial No. 5, in column 7, for the words "Matriculate with Diploma in L.S.G." the following shall be substituted, namely:—

"Matriculate with Diploma in L.S.G., or Diploma in L.G.S."

(Pub. in Raj. Gaz. Ex. 4 (Ga) (I) Dt. 5-1-70-Page 277)

Local Self Government Department

Notification No. F. Integ/F. 24 (18) DLB/66, dated February 14, 1968.—In exercise of the powers conferred by clause (b) of sub-section 2 of section 297 of the Rajasthan Municipalities Act, 1959 (Rajasthan Act No. 38 of 1959), the State Government hereby makes the following amendments in the Rajasthan Municipal Subordinate and Ministerial Service Rules, 1963, namely:—

Amendments

In the said Rules (1) in Rule 12, the following proviso shall be added after item (iii) of the proviso to the said Rules—

“(iv) The upper age limit for persons who were within the prescribed age limit on their temporary appointment under Rule 27, under a municipality, shall be relaxable upto the period of service rendered by them under a municipality.

(2) in Rule 27, after sub-Rule (1), the following provisos shall be added—

“Provided that the term of appointment of such persons after the expiry of the period prescribed under sub-Rule (1) may be extended by the Appointing authority with the concurrence of the Commission.”

“Provided further that the term of appointment of the persons appointed before the constitution of the Commission, shall also be extended by the appointing authority with the concurrence of the Commission.”

[Pub. in Raj. Gaz. Ex. 4 (Ga)-Dt. 14-2-68-Page 969]

Local Self-Government Department

Notification No. Tax/F. 2 (36)/LSG/58/6111-6364, dated March 8, 1968.—In exercise of the powers conferred by clause (h) of Rule 3 of the Rajasthan Municipal Subordinate and Ministerial Service Rules, 1963, the State Government hereby makes the following amendment in this Department Notification No. Tax/F. 2 (36)/LSG/58/2416/2691, dated 16-1-67 published in the Extraordinary issue of the Rajasthan Rajpatra, Part IV (c) dated 17-1-67:—

Amendment

In the said notification, after item 3 the following new para shall be added:—

“The Secretary of the Panchayat & Zila Parishad Service Selection Commission shall be the Secretary of the Commission”.

[Pub. in Raj. Gaz. Ex. 4 (Ga) -Dt. 25-4-68-Page 6]

Rules and Notifications under

NOTARIES ACT, 1952.
(CENTRAL ACT No. 43 OF 1952).

NOTARIES ACT, 1952

न्याय विभाग

अधिसूचना संख्या एफ. ३७ (१) एल. ए. । गृप—२१६४, दिनांक

जनवरी ५, १९६८—नोटेरीज एक्ट, १९५२ (सेन्ट्रल एक्ट २ सन् १९५२) की धारा ६ के प्रावधानों के अनुसरण में, ऐसे नोटेरीज जो राज्य सरकार द्वारा उनके प्रत्येक के सामने अंकित तारीख से नियुक्त किये हुए हैं और सन् १९६८ के प्रारम्भ में इस रूप में कार्य कर रहे हैं। की सूची एतद् द्वारा प्रकाशित की जाती है।

क्र. सं.	नोटेरी का नाम	नोटेरी का निवास स्थान तथा जहाँ वह व्यवसाय करता है, वहाँ का पता	योग्यता	वह क्षेत्र जिसमें कार्य करने के लिए प्राधिकृत है।	तिथि से
१	२	३	४	५	६
१.	श्री जगदीश विहारी लाल	रास्ता विसातियान रामगंज बाजार, जयपुर	वैधिक व्यवसायी	जिला जयपुर (जयपुर नगर सहित)	१-२-६०
२.	श्री वसन्तीलाल महेश्वरी	नया बाजार, अजमेर	„	जिला अजमेर	१-२-६०
३.	श्री वैनी माधव शर्मा	रामपुरा, कोटा	„	जिला कोटा	१-२-६०
४.	श्री ओमप्रकाश शर्मा	एडवोकेट, अलवर	„	जिला अलवर	१-२-६०
५.	श्री जीवनमल जोशी	एडवोकेट, सुजानगढ़	„	जिला बुरु	२६-२-६०
६.	श्री हरकनसहाय सक्सेना	चौड़ा रास्ता, जयपुर	„	जिला जयपुर (जयपुर नगर सहित)	५-१०-६०
७.	श्री दलपतसिंह चौधरी	एडवोकेट व जन अभियोक्ता, भीलवाड़ा	„	जिला भीलवाड़ा	१२-६-६२
८.	श्री जयलाल शर्मा	एडवोकेट, जोधपुर	वैधिक व्यवसायी	जिला जोधपुर (जोधपुर नगर सहित)	८-११-
९.	श्री द्वारकानाथ कक्कड़	एडवोकेट, भुन्भुत्त	„	जिला सीकर तथा भुन्भुत्त	८-११-६३
१०.	श्री रोशनलाल सांभर	फूटे दरवाजे के पास उदयपुर	„	जिला उदयपुर	११-८-६६
११.	श्री पूनमचन्द खड्गवात	सिटी कोतवाली के पीछे, बीकानेर	„	जिला बीकानेर	८-५-६७
१२.	श्री शिवशंकर व्यास	एडवोकेट, गंगानगर	„	जिला गंगानगर	३०-५-६७

[राज० राजपत्र विशेषांक भाग १ (क)—दि० ९-१-६८—पृ० ४७ में प्रकाशित]

Rules and Notifications under

OPIUM ACT, 1878.

(CENTRAL ACT No. 5 OF 1878).

Raj. Opium (Lanced Poppy Heads) Rules, 1960.

Finance (Excise) Department

Notification No. F. 1 (30) FD/Ex/65/2848 dated August 7, 1968.—In exercise of powers conferred by section 5 of the Opium Act 1878 (Central Act 1 of 1878) and by section 143 read with section 49 of the Bombay Prohibition Act, 1949 (Bombay Act 25 of 1949), as applicable to Abu area, the State Government hereby makes the following amendment in the Rajasthan Opium (Lanced poppy Heads) Rules, 1960, the same having been previously published in Rajasthan Rajpatra, Part 4 (C), dated the 28th March, 1968, namely :—

AMENDMENT

In Form P. H. 7 appended to the said Rules, in conditions No. 2 for the figures "200", the figures "500" shall be substituted.

[Pub. in Raj. Gaz. Ex. 4 (Ga) —Dt. 3-10-68 —Page 279]

Rajasthan Opium (Lanced Poppy Heads) (Amendment) Rules, 1969.

Finance (Excise) Department

Notification G. S. R. 34, dated September 17, 1969.—In exercise of the powers conferred by section 5 of the Opium Act, 1878 (Central Act 1 of 1878), and section 143 read with section 49 of the Bombay Prohibition Act, 1949 (Bombay Act 25 of 1949); as applicable to Abu area, the State Government makes the following rules further to amend the Rajasthan opium (Lanced Poppy Heads) Rules, 1960 and orders with reference to the proviso to section 143 of the Bombay Prohibition Act 1949, that previous publication of these rules is dispensed with as the State Government considers that these rules should be brought into force at once, namely :—

1. These rules may be called the Rajasthan opium (Lanced Poppy Heads) (Amendment) Rules, 1969.

2. In the Rajasthan Opium (Lanced Poppy Heads) Rules, 1960 (including the forms appended thereto); hereinafter referred to as the said Rules, except in rules 2, 5, 14 and 17 thereof, for the expression "Assistant Commissioner" wherever occurring, the expression "District Excise Officer", shall be substituted.

3. For clause (a) of rule 2 of the said Rules, the following clause shall be substituted namely :—

"(a) "Commissioner", "District Excise Officer" and "Inspector" mean respectively the officers of these designations, of the Excise Department of the State;"

4. For sub-rule (1) of rule 5 of the said rules, the following sub-rule shall be substituted, namely :—

"(1) No person shall carry or move, or cause to be carried or moved within the State any lanced poppy heads exceeding two kilograms except—

(a) from the place of storage of a cultivator to a licensed bonded warehouse or from such warehouse to another such warehouse under cover of a transport certificate in Form P. H. 2 issued by the District Excise Officer having jurisdiction over the place from lanced poppy heads are to be carried or moved; or

(b) from the place of storage of a cultivator or the licensed bonded warehouse to the premises of a licensed vendor under a permit in form P.H. 3 issued by the

District Excise Officer having jurisdiction over the place from which the lanced poppy heads are to be carried or moved.

“Provided that where the licensed warehouse or the premises of a licensed vendor to which the lanced poppy heads are to be carried or moved are situated in a district other than the one from which they are to be carried or moved, the said transport certificate in Form P. H. 2 or permit in Form P. H. 3 shall not be issued unless a certificate of the District Excise Officer of the district to which the lanced poppy heads are to be carried or moved is produced before the District Excise Officer having jurisdiction over the place from which the lanced poppy heads are to be carried or moved, to the effect that the purchasing dealer is a licensed vendor. The certificate shall be in triplicate in Form P.H. 9 or P.H. 10, as the case may be. The original copy of the form shall be handed over to the purchasing licensed vendor for production before the District Excise Officer having jurisdiction over the place from which the lanced poppy heads are to be carried or moved, the duplicate copy shall be sent by post to the District Excise Officer having jurisdiction over the place from which the lanced poppy heads are to be carried or moved and the triplicate copy shall be retained for record.”

5. In sub-rule (2), of rule 10 of the said rules, the expression, “except that final approval of the Commissioner shall not be necessary for acceptance of the highest bid” shall be deleted.

6. In rule 14 of the said Rules,—

(a) in sub-rule (1), for the expression, “75—/np” the expression “75 paise” shall be substituted and

(b) in clauses (ii) and (iii) of sub-rule (2) for the expression “the Assistant Commissioner of the area in which the premises of the licensed vendor are situated”, the expression “the District Excise Officer of the District to which the lanced Poppy Heads are to be carried or moved” shall be substituted.

7. In rule 17 of the said Rules, for the expression “the Assistant Commissioner subject to the approval of the Deputy Commissioner”, the expression “the District Excise Officer subject to the approval of the Commissioner” shall be substituted.

8. In sub-rule (1) of rule 22 of the said Rules, the expression “to the Deputy Commissioner and from an order of the Deputy Commissioner passed otherwise than on appeal,” shall be deleted.

9. For Note (1), under Form P. H. 2 the following Note shall be substituted, namely:—

“(1) To be issued in quadruplicate, original to be retained in the office of issue, duplicate to be given to the consignor, the

triplicate to the consignee to accompany the consignment and the quadruplicate to the District Excise Officer having jurisdiction over the place where the lanced poppy heads are to be carried or moved for verification and return to the office of issue. The consignor's copy shall be collected by the Inspector at the time of authorising issue of lanced poppy heads after giving due note in the register maintained by the licensed vendor and the warehouse register in form P.H. 5. It shall be returned by the Inspector to the office of issue after verifying the quantity of the lanced poppy heads issued from the warehouse.

10. For the Note under P. H. 3, the following Note shall be substituted, namely :—

Note:—"To be issued in quadruplicate, original to be retained in the office of issue, duplicate to be given to the consignor, triplicate to the consignee to accompany the consignment and the quadruplicate to the District Excise Officer having jurisdiction over the place where the lanced poppy heads are to be carried or moved for verification and return to the office of issue. The consignor's copy shall be collected by the Inspector at the time of issue of the lanced poppy heads after giving due note in the prescribed register of accounts maintained by the licensed vendor. It shall be returned by the Inspector to the office of issue after verifying the quantity of lanced poppy heads issued from the warehouse",

11. In Form P. H. 6 of condition No. 2, the following condition shall be substituted, namely :—

"2. If permitted by the licensing authority the licensee shall maintain a private bonded warehouse and shall obtain a licence for the same."

12. In Form P.H. 7, in condition No. 9, the words "and Taxation" shall be deleted.

13. After the existing Form P.H. 8, the following new Forms as Forms P.H. 9 and P. H. 10 shall be added, namely:—

"From P. H. 9
(Vide rule 5)
CERTIFICATE

Certified that Shri/Sarva Shriwho wish to purchase and transport.... Kilograms of Lanced Poppy Heads in bond from—

- (a) the place of storage of cultivator Shri.....resident of village.....District.....
- (b) from the licensed bonded warehouse of Shri/Sarva Shri.....situated at.....District.....
is/are holder/s of bonded warehouse licence No.....

and wholesale licence No.....at.....in District
.....in my jurisdiction.

District Excise Officer

Form P. H. 10

(Vide rule 5)

CERTIFICATE

Certified that Shri/Sarva Shri.....who wish to purchase and transport.....Kilograms of Lanced Poppy heads duty paid from the licensed premises of Shri/Sarva Shrisituated at.....District.....is/are holding wholesale license No.at.....in District.....in my jurisdiction.

District Excise Officer

Rajasthan Opium (Lanced Poppy Heads) (Amendment) Rules, 1970

*Notification G.S.R. 104 dated March 9, 1970,—*In exercise of the powers conferred by section 5 of the Opium Act, 1878 (Central Act 1 of 1878), the State Government hereby makes the following rules further to amend the Rajasthan Opium (Lanced Poppy Heads) Rules, 1960, namely,—

1. These rules may be called the Rajasthan Opium (Lanced Poppy Heads) (Amendment) Rules, 1970.

3. In sub-rule (1) of rule 14 of the said rules for the expression "85 paise" the expression "Re 1/-" shall be substituted.

[Pub. in Raj, Gaz. Ex. 4 (Ga)-Dt. 9-3-70 Page 348]

Notifications under

RAJASTHAN OPIUM (LANCED POPPY HEADS) RULES, 1970

Notification S.O. 300, dated March 9, 1970.—In exercise of the powers conferred by the proviso to sub-rule (1) to rule 14 of the Rajasthan Opium (Lanced Poppy Heads) Rules, 1960 and in supersession of Finance (Revenue and Economic Affairs) Department (Excise Section) Notification No. F. 1 (20)FD/Ex/67, dated May 29, 1967, the State Government hereby reduces the duty payable under the said sub-rule on the export of lanced poppy heads outside the State to 25 paise perkilogram with effect from March 9, 1970.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)-Dated 9-3-70 Page 555]

RAJASTHAN OPIUM REWARDS RULES, 1969

Notification G.S.R.35 dated September 17, 1969,—In exercise of the powers conferred by clause (b) of section 13 of the Opium Act, 1878 (Central Act 1 of 1878) and in supersession of the existing rules published vide Notification No. F. 14 (S4) E&T/56-12 dated 16-11-56 in the Rajasthan Gazette, Part IV (c), dated 16-11-56, the State Government hereby makes the following rules to regulate the payment of rewards to informers and Government servant in cases relating to offence under the Opium Act and the rules framed thereunder, namely :—

RULES

1. *Short title and Commencement*.—These rules may be called the Rajasthan Opium Rewards Rules, 1969 and shall come into force immediately.

2. *Recording of information*.—Statement of the informer shall be recorded by the officer receiving information before the raid is conducted and it shall be kept in the custody of such officer who shall verify it at the time of the disbursement of rewards ;

Provided that where the informer does not wish to disclose his identity, the said officer shall record only the information given by the informer without indicating his name, parentage and address, which shall be kept separate under a secret cover properly sealed for consideration of the claim of reward if and when preferred.

3. *Rewards not to be granted in petty cases*.—Rewards should be granted only after careful examination of each case. It should be given only in important case in which it is necessary to encourage and reward the persons instrumental in detection. In the case of petty offences rewards should be sparingly granted, and when granted, should be of nominal amount. It will depend entirely on the discretion of the rewards sanctioning authority to decide in what cases rewards should or should not be granted. The mere recording of statements of witnesses or sending up on accused for trial are no more than the ordinary routine duties of an officer do not entitle him to a reward.—

4. *Persons Eligible to Receive Rewards*.—Rewards in relation to offences under the Opium Act, 1878 or the rules framed thereunder may be granted to the following persons, namely.—

(a) to any person who gave the information about the offence, provided the District Officer concerned is satisfied that the case was genuine and its detection took place on the information supplied by him.

(b) to the following government servants :—

(i) all Excise and Police Officers of or below the rank of Inspector for conduct, displaying extraordinary address, acuteness, industry, fidelity or courage in the detection of and conviction in a case.

(ii) all officers of the Land Revenue Department of or below the rank of Tehsildar for conduct displaying extraordinary address, acuteness industry, fidelity or courage in the detection of or conviction in a case or rendering active assistance to the Excise or Police Officers in the detection of and conviction in a case :

(iii) all employees of other departments of the State of or below the rank corresponding to that of an Excise or Police Inspector for rendering active assistance to the Excise or Police Officers or officers of the Land Revenue Department in the detection of and conviction in a case :

Provided that if a reward is proposed for any official higher than a Tehsildar or Inspector of Police or Excise Inspector, the previous sanction of the Excise Commissioner shall be obtained.

5. Rewards may be granted subject to the following provisions:—

(a) The District Excise Officer may grant on his own authority rewards not exceeding Rs. 250/- in any one case :

(b) The Excise Commissioner may sanction rewards without restriction of amount.

(c) No reward to a Government servant exceeding Rs. 1,000/- in any case shall be granted except after consultation with the Administrative Department.

(d) Before, paying a reward to a Government servant, other than the employees of the Excise Department the reward sanctioning authority shall ascertain from the Head of the Department to which the Government servant belongs, if he has any objection to the payment of such reward.

(e) In no case shall rewards be granted by the trying Magistrates.

(f) (i) Rewards payable to the informer shall not exceed:—

(a) Rs- 30/- (thirty) for each kilogram of opium seized in the case, provided that the quantity seized is 10 (ten) kilograms and above,

(b) Rs. 20/-(twenty) for each kilogram of opium seized, where quantity siezed is below 10 kilograms but is not less than one kilograms :

Provided that 50% of the reward shall be paid immediately to the informer as interim reward when the stuff is proved to be opium after the seizure by the Chemical analyst. Remaining 50% will be paid after the case is finally decided in the Court of Law.

(ii) Reward payable to the Government employees shall not ordinarily exceed 10% of the value of confiscated goods plus the penalty or fine realised. The value of opium shall be computed as Rs. 100/- (one hundred) per killogram.—

Provided that no reward shall be admissible to the Government servants, if the quantity seized is below 2 (two) kilograms unless a particular case warrants special consideration.

(g) Except the interim reward payable to the informer in accordance with the proviso to clause (i) of rule 5, (f) no reward shall be paid to any informer or a Government servant until after the expiry of the period of appeal or if an appeal has been preferred until the appeal is disposed off.

6. *Secrecy in payment to informers.*—Any rewards payable to any informer whose statement is in the custody of the Excise Officer, may be disbursed upon the receipt of the District Excise officer without requiring attendance of the actual payee or a receipt from him.

[Pub. in Raj. Gaz. Ex. 4 (Ga)(I)—Dt. 25.9.69—Page 141]

Rules and Notifications under

PANCHAYAT ACT, 1953.
(RAJ. ACT No 21 OF 1953).

Rajasthan Panchayat & Nyaya Panchayat (General) Rules, 1961.

Panchayat & Development Department

Notification No. 4 LJ/3 (4)/67/10933, dated October 6, 1967.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Raj. Act 21 of 1953) and all other powers enabling in this behalf, the State Government hereby makes the following amendment in the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961, namely:—

AMENDMENT

In the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961, for sub-rule (2) of rule 265, the following sub-rule shall be substituted, namely :—

“(2) Where the bid of the land auctioned does not exceed rupees two hundred, a copy of the proceedings of the bid shall be sent by the Panchayat to the Sub-Divisional Officer of the area within 3 days of the acceptance thereof. If no objection to the acceptance of the bid is received within a period of one month of its receipt, the Panchayat shall proceed with the final sanction of the auction”.

(Pub. in Raj. Gaz. Ex. 4(Ga)—Dt. 16-11-67—Page 830]

RAJASTHAN PANCHAYAT AND NYAYA PANCHAYAT (GENERAL) AMENDMENT RULES, 1961.

Notification G. S. R. 73, dated August 11, 1969.—In exercise of the powers conferred by section 89, read with section 19 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953), the State Government hereby makes the following rules further to amend the Rajasthan Panchayat & Nyaya Panchayat (General) Rules, 1961, namely:—

1. *Short title.*—These rules may be called the Rajasthan Panchayat and Nyaya Panchayat (General) Amendment Rules, 1969.

2. In the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961 in sub-rule (1) of rule 15, between the words “on a date” and “and” the following words shall be inserted, namely;—

“which shall not be later than thirty days from the date on which the notice was delivered to him.”

[Pub. in Raj. Gaz. 4 (Ga) (I)—Dt. 30-10-69—Page 174]

Notification G. S. R. 95, dated October 8, 1969.—In exercise of the powers conferred by sub-section (1) and (2) of section 89 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953), the State Government hereby makes the following rules further to amend the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961, namely:—

1. *Short title.*—These rules may be called the Rajasthan Panchayat and Nyaya Panchayat (General) Amendment Rules, 1969.

2. *Amendment of rule 270.*—In rule 270 of the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1969, hereinafter referred to as “the said rules”, in clause (a), after the expression “rule 265”, the expression “or transfer of Abadi land under rule 266 or allotment of lands under rule 267, read with rule 268,” shall be inserted.

3. *Amendment of rule 272.*—In rule 272 of the said rules, in sub-rule (1), after the expression “rule 265”, wherever it occurs, the expression “or rule 266 or rule 267 or rule 268” shall be inserted.

[Pub. in Raj. Gaz. 4 (Ga) (I) Dt.—11-12-69—Page 206]

PANCHAYAT AND DEVELOPMENT DEPARTMENT

Notification G. S. R. dated November 21, 1969.—In exercise of the powers conferred by section 89, read with section 68 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953)

& of all other powers enabling it in this behalf, the Government of Rajasthan, hereby makes the following rules further to amend the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961, namely:—

1. *Short title.*—These rules may be called the Rajasthan Panchayat and Nyaya Panchayat (General) (Amendment) Rules, 1969.

2. *Amendment of Rule 291.*—In sub-rule (b) of rule 291 of the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961 for the expression “(Not exceeding 40% of the total receipts in a year)”, the expression “(Rs. 1200/ or 40% of the total receipts in a year, whichever is higher)” shall be substituted.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 14-5-70—Page 82]

Rajasthan Panchayat & Nyaya Panchayat (General) (Amendment) Rules, 1968.

Panchayat & Development Department

Notification No. F. 4/LJ/2 (9)/65/10863, dated October 14, 1968.—In exercise of the powers conferred by Section 89 and 34 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953), the State Government hereby makes the following rules further to amend the Rajasthan Panchayat & Nyaya Panchayat (General) Rules, 1961 namely :—

1. *Short title.*—These rules may be called the Rajasthan Panchayat & Nyaya Panchayat (General) (Amendment) Rules, 1968.

2. In the Rajasthan Panchayat & Nyaya Panchayat (General) Rules, 1961, after rule 154, the following new rules shall be added, namely :—

“154-A—*Recovery of fine through the Sub-Divisional Magistrate.*—The recoveries made by the Sub-Divisional Officer under Section 34 shall be deposited in the treasury under civil/criminal court Deposit and the amount shall be refunded to the Nyaya Panchayat concerned through a refund Bill. At the close of each month, Sub-Divisional Officer shall intimate the actual amounts realised and deposited to the Nyaya Panchayat concerned.”

[Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 5-12-68 Page 332]

Panchayat & Development Department

Notification No. F. 4-/LJ/3/(1)/67/11193, dated October 26, 1968.—In exercise of the powers conferred by section 89 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953) the State Government hereby makes the following rules further to amend the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961, namely :—

1. *Short title.*—These rules may be called the Rajasthan Panchayat and nyaya Panchayat (General) amendment Rules, 1968, namely :—

2. In the Rajasthan Panchayat and Nyaya Panchayat (General) Rules, 1961, after sub-clause (ii) of clause (b) of rule 201, the following proviso shall be inserted, namely :—

“Provided that if the Panchayat is unable to effect the sale of the impounded cattle by public auction either for want of bidder or on account of the auction sale not fetching full price of the cattle, the Panchayat shall send the cattle to the neighbouring Panchayat for sale and latter shall conduct the auction sale proceeding in respect of such cattle under the Vikas Adhikari and shall remit the sale proceeds to the former after deducting the expenses of sale proceedings.”

[Pub. in Raj. Gaz. Ex. 4 (Ga) -Dt. 23-1-69 Page 377]

Rajasthan Panchayat Act, 1953.

Panchayat & Development Department

Notification S.O. 194, dated December 12, 1969—In exercise of the powers conferred by the proviso to sub-section (1) of section 7 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953), the State Government hereby extends the term of office of all the Panchayats within Jodhpur, Jaisalmer, Barmer, Bikaner, Jalore, Nagaur and Pali Districts in the State of Rajasthan for a period of one year from the 21st January, 1970 to the 20th January, 1971.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 15-12-69—Page 315]

Panchayat & Development Department

Notification S. O. 228, dated January 5, 1970—In exercise of the powers conferred by the proviso to sub section (1) of section 7 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953); the State Government hereby extends the term of office of all the Panchayats within Churu, Ganganagar, Alwar, Bharatpur, Jaipur, Jhunjhunu, Sawai-Madhopur, Sikar, Tonk, Ajmer, Sirohi, Bundi, Jhalawar, Kotah, Banswara, Bhilwara, Chittorgarh, Dungarpur, and Udaipur Districts in the State of Rajasthan for a period of one year from the 21st January, 1970 to the 20th Jan. 1971.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 5-1-70—Page 403]

Panchayat And Development Department

Notification S. O. 61, dated June 12, 1969,—In exercise of the powers conferred by clause (a) of section 70 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act XXI of 1953), the State Government hereby delegate the powers exercisable by it, under sub-section (4) of section 84 of the said Act, in so far as it relates to the disputes between a Panchayat and a Municipal Board situated within the same district, to the Collector of the district having jurisdiction.

[Pub. in. Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 2-10-69—Page 103]

Rules and Notifications under
PANCHAYAT SAMITIS & ZILA PARISHADS
ACT, 1959.

Raj. Panchayat Samitis & Zila Parishads Class IV Service (Amendment) Rules, 1969.

Panchayat & Development Department

Notification G.S.R. 8, dated February 18, 1969.—In exercise of the powers conferred by sub-section (1) of section 79 read with section 31 and 60 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rules further to amend the Rajasthan Panchayat Samitis and Zila Parishads Class IV Service Rules, 1959, namely.—

AMENDMENTS

1. *Short title.*—These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Class IV service (Amendment) Rules, 1969.

2. In the Rajasthan Panchayat Samitis and Zila Parishads Class IV Service Rules, 1959.—

(a) for the existing rule 10, the following shall be substituted.—

“10. *Sources of recruitments.*—(1) Vacancies after the commencement of these rules shall be filled.—

(i) *by direct recruitment.*—The nearest employment Exchange should be asked to send a panel of names of suitable persons at least five times the number of vacancies to be so filled. The Vikas Adhikari of the panchayat Samiti/Secretary of the Zila Parishad will then make appointments of the candidates considered more suitable from amongst the persons mentioned in the panel.

(ii) *by transfer of employees holding corresponding posts under a Panchayat Samiti/Zila Parishad or Government* Provided that no Government Servant shall be transferred to the service without his prior consent.

10. A. *Transfer.*—(1) Any employee desiring transfer of his service to another Panchayat Samiti/Zila Parishad within the same district or outside the district shall apply in writing to the Vikas Adhikari of the Panchayat Samiti/Secretary of the Zila Parishad under whom he serves, who will forward the same to the concerning Panchayat Samiti/Zila Parishad where transfer is desired.

(2) The Vikas Adhikari of the Panchayat Samiti or the Secretary of the Zila Parishad under whose administrative control the employee desire to be transferred, shall on receipt of

the application under sub-rule (1) of rule 10-A may subject to vacancy, if any, appoint such employee by transfer under sub-rule (ii) of rule 10.

(3) On transfer of the employee, his confidential roll and service record will be transmitted without avoidable delay to the Panchayat Samiti/Zila Parishad to whom his services has been transferred.

(b) rule 14 of the said rules shall be omitted.

[Pub. in Raj. Gaz. 4 (Ga)-(1)-Dt. 1-5-69-Page 67]

Raj. Panchayat Samitis & Zila Parishads (Declaration of vacancy in the Standing Committees) Rules, 1969.

Notification G.S.R. 66, dated August 19, 1969.—In exercise of the powers conferred by sub-section (1) of section 79 read with sub-section 12 of section 20 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959) the State Government hereby makes the following rules, namely:—

1. *Short title and Commencement.*—(i) These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads (Declaration of vacancy in the Standing Committees) Rules, 1969.

(ii) They shall come into force at once.

Definitions.—In these rules, unless the subject or context otherwise requires:—

(i) 'Act' means the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Act No. 37 of 1959).

(ii) 'Section' means a section of the Act.

(iii) 'Standing Committee' means a standing committee constituted under section 20 of the Act.

(iv) 'Words and expressions' used but not defined in these rules shall have the meanings as are respectively assigned to them in the Act.

3. *Notice for declaration of a vacancy in the Standing Committee.*—(1) A notice as required under section 20 (13) of the Act, shall be ordered to be given to a member of the Standing Committee who absents himself from four consecutive meetings of the Committee by the chairman or in his absence by the Presiding member of the fourth meeting.

(2) On the termination of the fourth meeting the notice shall be sent to such member by Registered post or through a messenger and it shall be deemed to have been duly served on him if—

(i) It is delivered to him in person or to any adult male member of his family residing with him.

Explanation.—A servant shall not be deemed to be a member of the family within the meaning of this rule.

(ii) Such member or any adult male member of his family refuses to receive such notice and the same is consequently affixed on a conspicuous part of his dwelling house in the presence of 2 witnesses.

(iii) The notice is sent by the Registered post and report has been made by the postal authorities that the addressee has refused to accept delivery of the notice.

(3) If such member does not attend the fifth meeting of the Standing Committee inspite of notice or does not show cause to the contrary, the matter shall be considered in this meeting. The Standing Committee, if it is satisfied that the required notice was duly served on such member, shall pass a resolution that the District Development Officer be required to declare the seat vacant and forward a copy of the resolution together with the record of notices of all meetings which had been notified to him along with that of the notice served after the fourth meeting and other relevant record to the District Development Officer (Collector).

(4) On receipt of the record referred to in rule 3(3) the District Development Officer may upon perusing the record and after making such further enquiry as may be considered necessary and after giving such member an opportunity of being heard, declare such seat to have become vacant or make such other order as he may think proper in the circumstances of the case.

(5) Copies of final orders made by the District Development Officer shall be sent to the concerned member, the Secretary, Zila Parishad and the Panchayat Samitis, concerned.

(6) The relevant papers in the office of the District Development Officer may be destroyed after one year of the date of the decision.

**Rajasthan Panchayat Samities and Zila Parishads (Election
of Pradhan and Pramukh) Rules, 1964.**

ELECTION DEPARTMENT

Notification No. F. 1(I) (3) V/Elec./65, dated June 13, 1968.-

In exercise of the powers conferred by sub-section (1) of section 79 read with sections 15 and 45 of the Rajasthan Panchayat Samities and Zila Parishad Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following amendments to the Rajasthan Panchayat Samities and Zila Parishads (Election of Pradhan and Pramukh) Rules, 1964, namely :—

AMENDMENTS

In the said Rules,—

1. after sub-rule (7) of rule 9, the following new sub-rule shall be added, namely :—

(8) “The Returning Officer shall publish a list of validly nominated candidates, on the Notice Board, at the close of the scrutiny”.

2. at the end of the proviso to rule 14, the following shall be added, namely :—

“latest by the day, preceding the date of election”.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 20-6-68—Page 90]

**Rajasthan Panchayat Samitis (Election of Temporary Pradhan)
First Amendment Rules, 1968.**

Panchayat and Development Department

Notification No. F. 4/LJ/PS/AQ/3/68/5579, dated May 25, 1968.—In exercise of the powers conferred by sub-section (1) of section 79 read with sub-section (6) of section 25 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rules further to amend the Rajasthan Panchayat Samitis (Election of Temporary Pradhan) Rules, 1959, namely:—

1. *Short title:*—These rules may be called the Rajasthan Panchayat Samitis (Election of Temporary Pradhan) first Amendment Rules, 1968.

2 In the Rajasthan Panchayat Samitis (Election of Temporary Pradhan) Rules, 1959, in rule 3, after sub-rule (2), the following proviso shall be inserted, namely:—

“Provided that if the Vikas Adhikari fails to convene such meeting within the aforesaid period, the Collector shall convene a meeting of the members of the Panchayat Samiti at the earliest opportunity for the purpose of election of a temporary pradhan.”

[Pub. in Raj. Gaz. Ex. 4 (Ga)–Dt. 25-5-68]

Panchayat & Development Department

Notification No. F. 4/LJ/PS/AQ/3/68/5966, dated June 5, 1968.—In the Rajasthan Panchayat Samitis (Election of Temporary Pradhan) First Amendment Rules, 1968. Published under this Department Notification No. F. 4/LJ/PS/AQ/3/68/5579 dated the 25th May, 1968, in the Rajasthan Gazette, Extraordinary, Part IV (C), dated the 25th May, 1968, in rule 2, for the digit ‘2’ occurring within brackets, read digit ‘1’.

[Pub. in Raj. Gaz. Ex. 4 (Ga) --Dt. 5-6-68-]

Rajasthan Panchayat Samitis (Retirement of members of Standing Committees) (Amendment) Rules, 1969.

Notification G. S. R. 74, dated July 26, 1969.—In exercise of the powers conferred by sub-section (1) of section 79 read with section 20(11) of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act-37 of 1959), the State Government hereby makes the following rules further to amend the Rajasthan Panchayat Samitis (Retirement of members of Standing Committees) Rules, 1962, namely:—

1. These rules may be called the Rajasthan Panchayat Samitis (Retirement of members of Standing Committees) (Amendment) Rules, 1969.

2. In the Rajasthan Panchayat Samiti's (Retirement of members of Standing Committees) Rules, 1962:—

(i) In rule 6, the words "Retirement of members" in the caption, be substituted by the words "First Retirement", and

(ii) The word "The members" occurring in the 1st line be substituted by the words "Two of the members".

3. (i) In sub-rule (ii) of rule 7, the word "the members" appearing after the expressions "At this meeting" be substituted by the word "two members".

(ii) In clause (a), of sub-rule (iii) of rule 7, the expression "and" appearing after the words "number of unretired member" be deleted and the punctuation mark coma appearing before it be substituted by the punctuation mark full-stop.

(iii) Clause (b), of sub-rule (iii), of rule 7, shall be deleted.

4. After rule 7, the following new rules be added, namely:—

"8. *Third Retirement.*—The remaining three members of the standing committee as did not retire on the first and second retirements shall retire automatically, from the standing committees from the date of its formation on the expiration of the third year.

9. *Fourth Retirement.*—Two members who were elected as members of the Standing Committee in the vacancy created by the first retirement shall automatically retire from the standing committee from the date of formation on the expiration of the fourth year.

10. *Fifth Retirement.*—The two members who got elected as members of the standing committee in the vacancy created by second retirement shall automatically retire from the standing committee from the date of its formation on the expiration of the fifth year.

2] Raj. P. S. (R. of members of S. C.) (Amendment) Rules, 1969.

11. *Application of Rules.*—The Rajasthan Panchayat Samitis (Retirement of members of Standing Committees) Rules, 1962 as amended from the time to time, shall apply mutatis mutandis to the members of the standing committees of the Zila Parishads but the reference to the words “Panchayat Samitis Pradhan and Up-Pradhan” shall be construed as references to the “Zila Parishads, Pramukh and Up-Pramukh” respectively”.

[Pub. in Raj. Gaz. 4 (Ga) (I)—Dt. 30.10-69—Page 175]

Rajasthan Panchayat Samitis and Zila Parishads Services (Punishment and Appeal) (Amendment) Rules, 1969.

Notification G. S. R. 64, dated August 25, 1969.—In exercise of the powers conferred by sub-section (1) of section 79 read with clause (b) of sub-section (2) of section 88 and section 89 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act, 37 of 1959), the State Government hereby makes the following rules further to amend the Rajasthan Panchayat Samiti and Zila parishads Services (Punishment and Appeal) Rules, 1961, namely :—

1. *Short title.*—These rules may be called the Rajasthan Panchayat Samiti and Zila Parishad Services (Punishment and Appeal) (Amendment) Rules, 1969.

2. In the Rajasthan Panchayat Samitis and Zila Parishads Service (Punishment and Appeal) Rules, 1961, after sub-rule (1) of rule 15, the following Proviso shall be added :—

“Provided that the Secretary, District Establishment Committee, may on presentation of an appeal either under this rule or under rule 13 with the approval of Collector for the District and the Pramukh of the Zila Parishad, stay the operation of the order appealed against, subject to its confirmation by the District Establishment Committee at its next meeting.”

[Pub. in Raj. Gaz. Ex. 4 (Ga) (i)—Dt. 30-10-69—Page 160]

Rajasthan Panchayat Samitis and Zila Parishads Service (Revised Pay Scales) (Amendment) Rules, 1969.

Notification G.S.R. 63, dated September 3, 1969.—In exercise of the powers conferred by section 31 & Sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), and all other provisions enabling it in this behalf, the State Government hereby makes the following rules further to amend the Rajasthan Panchayat Samitis and Zila Parishads Service (Revised Pay Scales) Rules, 1962, namely :—

1. *Short title.*—These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service (Revised Pay Scales) (Amendment) Rules, 1969.

2. *Amendment of Schedule No. 1 Section C to D.*—For Serial Number 18, in Schedule No. 1, section C to D appended to the Rajasthan Panchayat Samitis and Zila Parishads Service (Revised pay Scales) Rules, 1962, the following shall be substituted:—

1	2	3	4	5	6
"18(i) U.D.C.'s	80-5-120-8- 160-10-200	105-5-150-8-190-10-210			(12)
(ii) U.D.C. (Steno)	-do-	105-5-150-8-190-10-210 with Special Pay of Rs. 25/-"			(12)

[Pub. in Raj. Gaz. 4 (Ga)-(I)—Dt. 30-10-69—Page 158]

Panchayat & Development Department

Notification G. S. R. 71, dated July 24, 1969.—In exercise of the powers conferred by section 31 and sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Raj Act. 37 of 1959), the State Government hereby makes the following amendment in the Rajasthan Panchayat Samitis and Zila Parishads Service (Revised Pay Scale) Rules, 1962, namely :—

1. *Short title.*—These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service (Revised Pay Scales) (Amendment) Rules, 1969.

2. *Amendment of Rule 2.*—In sub-clause (a) of rule 2 of the Rajasthan Panchayat Samitis and Zila Parishads Service (Revised Pay Scales) Rules, 1962, the following words shall be added at the end of the sub-clause :—

"and reference to the Public Service Commission shall be construed as a reference to the Rajasthan Panchayat Samitis and Zila Parishads Service Selection Commission".

[Pub. in Raj. Gaz. 4 (Ga)(I)—Dt. 30-10-69—Page 171]

Notification G. S. R. 96, dated September 30, 1969.—In exercise of the powers conferred by section 31 and sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rules to amend the Rajasthan Panchayat Samitis and Zila Parishads Service (Revised Pay Scales) Rules, 1962, namely—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service (Revised Pay Scales) (Amendment) Rules, 1969.

(2) They shall be deemed to have come into force from 1st September, 1961.

2. *Amendment of Schedule No. 1*—Section C to D :—In the schedule No. 1 Section C to D of the Rajasthan Panchayat Samitis and Zila Parishads Service (Revised Pay Scales) Rules, 1962.

(i) for the existing item at S. No. 3, the following shall be substituted, namely ;—

1	2	3	4	5	6
3.	Field man (Junior Fieldman and Senior Fieldman in the existing scales.	40-2-60-& 60-4-80-5-130.	75-3 90-4-110-5 130-EB-5-160.	(6)	

(ii) the existing item at S. No. 9 shall be deleted.

[Pub. in Raj. Gaz. 4 (Ga)(I) —Dt. 11.12.69 Page 208]

**Rajasthan Panchayat Samitis and Zila Parishads Service
(Third Amendments) Rules, 1967.**

PANCHAYAT AND DEVELOPMENT DEPARTMENT

Notification No. F. 4/L/PS/AR/13/67/13707, dated December, 16, 1967.—In exercise of the Powers conferred by sub-section (1) of Section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rules further to amend the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, namely :—

1. *Short title.*—These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service (Third Amendment) Rules, 1967.

2. In rule 17-A of the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959,—

(1) in sub-rule (1), after the words “appoint as Village Level Workers” the words “or Group Panchayat Secretaries” shall be inserted;

(2) in sub-rule (2), after the words, “Village Level Workers-cum-Group Panchayat Secretary in each Panchayat”, the words “and Group Panchayat Secretary in a Group of Panchayats” and after the words “suitable for absorption as Village Level Workers”, the words “or Group Panchayat Secretaries” shall be inserted;

(3) in sub-rule (3), after the words “post of Village Level Worker”, the words “or Group Panchayat Secretary” shall be inserted.

[Pub. in Raj. Gaz. Ex. 4(Ga)—Dt. 16-12-67—Page 767]

**Rajasthan Panchayat Samitis and Zila Parishads Service
(Amendment) Rules, 1968.**

PANCHAYAT & DEVELOPMENT DEPARTMENT

Notification No. F. 4/L/PS/A/13/67/3667, dated March 28, 1968.—In exercise of the powers conferred by sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rules further to amend the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, namely :—

1. *Short title.*—These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service (Amendment) Rules, 1968.

2. In rule 10 of the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959,—

(i) for the figures '18' occurring between the words 'attained the age of' and 'years', the figures '16' shall be substituted; and

(ii) after clause (vi) of the first proviso, the following new clause shall be inserted, namely:—

(vii) the upper age limit for third grade Primary School teachers shall be thirty years.

[Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 29-3-69 Page 1123]

Rajasthan Panchayat Samitis & Zila Parishads Service (Second Amendment) Rules, 1968.

PANCHAYAT & DEVELOPMENT DEPARTMENT

Notification No. F. 4/L/PS/AR/13/67-68/7929, dated July 15, 1968.—In exercise of the powers conferred by sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rules further to amend the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, namely—

1. *Short title.*—These rules may be called the Rajasthan Panchayat Samitis & Zila Parishads Service (Second Amendment) Rules, 1968.

2. In the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, in rule 15,—

(1) the brackets and figure “(1)” appearing after the words “Inviting of applications” shall be deleted ;

(2) for the fullstop at the end of the rule, a colon shall be substituted and thereafter the following proviso shall be inserted, namely:—

“Provided that the Government may also make a requisition to the Commission for direct recruitment in the Service”.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 15.7.68—Pages 321]

RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS SERVICE (AMENDMENT) RULES, 1969.

Notification G.S.R. 65, dated August 12, 1969.—In exercise of the powers conferred by sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 and all the provisions enabling in this behalf, the Government of Rajasthan makes the following rules to amend the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959.—

1. *Short title.*—These Rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service (Amendment) Rules, 1969 and shall come into force from the date of their publication in the Official Gazette.

2. In the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1951, after rule 31-A, the following explanation shall be added, namely.—

Explanation.—Standing first in the Annual Village Level Workers competition organised by the Government at any level will be deemed to be a special circumstance within the meaning of this rule, justifying grant of pre-mature increments to the following extent.—

- | | |
|---|---|
| 1. Village Level Worker standing first at the Panchayat Samiti Level Competition. | One grade increment without cumulative effect. |
| 3. Village Level Worker standing first at the District Level Competition. | Two grade increments without cumulative effect. |
| 3. Village Level Worker standing first at the State Level Competition. | One grade increment with cumulative effect. |
| 4. Village Level Worker standing first at National Level Competition. | Two grade increments with cumulative effect. |

3. The 'Note' below rule 34 shall be deleted and the following new Rule '34-A' shall be added after rule 34 viz.

"34-A. *Grant of study leave.*—(1) Study leave shall be admissible to the Village Level workers, Primary School teachers and such others members of the service as may be notified by the Government from time to time who want to seek admission to educational courses of the recognised Universities or Rural Institutions of such other courses as may be

approved by the State Government from time to time on the following conditions :—

- (a) Study leave shall not exceed 4 years in the whole period of the service of the incumbent and such leave shall not be granted at a time to more than 10% of the actual strength of the Village Level Workers, Teachers or other members of the service as the case may be, in a particular district.
- (b) Leave shall be granted only to such members of the service who have put in atleast six years of service except that the Government for reasons to be recorded in writing may reduce the period to four years in deserving cases.
- (c) No leave shall be granted to such members of the service who have put in 20 years or more of service provided that the Government may relax the restriction regarding the grant of study leave to a member of the service who has completed 20 years of service if such member of the service undertakes to continue in the service or a period of five years after his return from leave or to refund the cost of study leave to the Panchayat Samiti in the event of his not being able to serve for a period of 5 years.
- (d) The other terms and conditions for the grant of study leave shall be applicable as laid down in the rules contained in Section VI of Chapter XI of Rajasthan Service Rules.

(2) The leave shall be granted by the District Establishment Committee on the recommendation of the Panchayat Samiti concerned provided that if the District Establishment Committee fails to sanction leave within three months of the recommendations of the Panchayat Samiti or refuses to sanction leave, the State Government may sanction such leave.

(3) The leave salary of the study leave shall be payable by the Panchayat Samiti from which a member of the Panchayat Samiti Service proceeds on such leave.

[Pub. in Raj. Gaz. 4(Ga) (I)-Dt.30-10-69-Page 161]

PANCHAYAT & DEVELOPMENT DEPARTMENT

Notification G. S. R. 62, dated September 3, 1969.—In exercise of the powers conferred by sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rules further to amend the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1969 namely :—

1. **Short title.**—These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service (Amendment) Rules, 1969.

2. **Amendment of Rule 4(1).**—In serial No. 12 (i) of sub-rule (1) of rule 4, of the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959 (hereinafter referred to as "the said rules") the words "including U. D.C. Steno" shall be inserted, after the words "U.D.C."

3. In Serial No. 10 of the Schedule attached to the said rules the words "including U.D.C. Steno" shall be inserted, after the words "Upper Division Clerks", in column 2.

[Pub. in Raj. Gaz. 4 (Ga) (I) Dt. 30-10-69—Page 157]

PANCHAYAT & DEVELOPMENT DEPARTMENT

Notification G.S.R. 94, dated September 10, 1969.—In exercise of the powers conferred by sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 and all the provisions enabling them in this behalf, the Government of Rajasthan hereby makes the following rules further to amend the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, namely :—

1. **Short title.**—These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service (Amendment) Rules, 1969.

2. In clause (iv) of the proviso to rule 10 of the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959 between the words "Gram Panchayats" and "shall" the words "and Nyaya Panchayats" shall be added.

[Pub. in Raj. Gaz. 4(Ga)–(I)–Dt. 11-12 69 Page 205]

Notification G.S.R. 67, dated September 30, 1969.—In exercise of the powers conferred by sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rules further to amend the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, namely :—

1. **Short title and commencement.**—(1) These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service (Amendment) Rules, 1969.

(2) They shall be deemed to have come into force on the 2nd day of October, 1959

2. **Amendment of Schedule.**—In column 7, of item at Serial No. 3(b) of the schedule to the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, the following shall be inserted, namely :—

“The scale of pay of Fieldman, Junior transferred from Agriculture Department will be 40.2.60.”

[Pub. in Raj. Gaz. 4 (Ga) (I)—Dt. 11-12-69—Page 209]

Notification G. S. R. 21 dated January 23, 1970.—In exercise of the powers conferred by sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), and all the provisions enabling in this behalf, the Government of Rajasthan hereby makes the following rules further to amend the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1969, namely :—

1. *Short title.*—These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service (Amendment) Rules, 1969.

2. In the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, after rule 18, the following new rule shall be added, namely :—

“18-A. Allotment by the State Government :—

- (i) The State Government may allot candidates in order of merit, from the list of a district, where there are no vacancies, to another district where there may be vacancies for appointment; provided that the candidates are not available in the district-wise merit list of the latter district.
- (ii) The District Establishment Committee shall follow the procedure as prescribed in sub-rule (2) of rule 18 for the allotment of such candidates”.

[Pub. in Raj. Gaz. 4 (Ga)-Dt. 14.5.70 Page 83]

RAJ. PANCHAYAT SAMITIS & ZILA PARISHADS SERVICE (AMENDMENT) RULES, 1969.

PANCHAYAT & DEVELOPMENT DEPARTMENT

Notification No. F. 41/L/PS/AR/1/69/266, dated January 7, 1969.—In exercise of the powers conferred by sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishad Act, 1959 (Rajasthan Act 37 of 1959), the Government hereby makes the following rules further to amend the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, namely:—

1. *Short title.*—These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service (Amendment) Rules, 1969.

2. In the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, in clause (i) of rule 2 the word “substantively” shall be deleted.

3. *In the Schedule to the said rules* —(i) In column 7, of serial number 2 the words “The minimum qualification required for direct recruitment in respect of women candidates shall be Matric or any other qualification declared equivalent to Matric by the Education Department, Government of Rajasthan” shall be inserted.

(ii) In Column 4 of serial number 9, for the words “Middle or 8th Class passed”, the word “Hindi knowing with no less than four years experience of vaccinator on 1-1-68 or Middle or 8th Class passed” shall be substituted.

[Pub. in Raj. Gaz. Ex. 4(Ga)–Dt. 8-1-69–Page 723]

PANCHAYAT & DEVELOPMENT DEPARTMENT

Notification No. F. 41/L/DS/AR/1/69/266, dated January 7, 1969.—In exercise of the powers conferred by sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishad Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following Rules further to amend the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, namely:—

1. *Short title.*—These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service (Amendment) Rules, 1969.

2. In the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, in clause (i) of rule 2 the word "substantively" shall be deleted.

3. *In the Schedule to the said rules,—*

(i) in column 7, of serial number 2 the words "The minimum qualification required for direct recruitment in respect of women candidates shall be Matric or any other qualification declared equivalent to Matric by the Education Department, Government of Rajasthan" shall be inserted.

(ii) In column 4 of serial number 9, for the words "Middle or 8th Class passed" the words "Hindi knowing with no less than four years" experience of vaccinator on 1-1-68 or Middle or 8th Class passed" shall be substituted.

[Pub. in Raj. Gaz. 4 (Ga)-Dt. 20-3-69-Page 396]

Notification G. S. R. 72, dated August 20, 1969.—In exercise of the powers conferred by sub-section (1) of section 79 read with section 31 & 60 of the Rajasthan Panchayat Samitis & Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes rules further to amend the Rajasthan Panchayat Samitis & Zila Parishads Service Rules, 1959.

1. *Short title.*—These rules may be called the Rajasthan Panchayat Samitis & Zila Parishads Service (Amendment) Rules, 1959.

2. In sub rule (1) of rule 20 the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, the following proviso shall be added, namely :—

"Provided that the substantive members of the service under these rules or the substantive members of the service under the Panchayat Samitis & Zila Parishads class IV Service Rules, 1959 who are otherwise eligible for any other higher post in the Service as per the conditions prescribed under rule 11 of these Rules may be appointed to such posts by way of promotion as per procedure laid down in this chapter. Such appointments shall, however, be subject to the provisions of rules 25 to 27 of these rules."

[Pub. in Raj. Gaz. 4 (Ga) (1)—Dt. 30-10-69—Page 173]

Rajasthan Panchayat Samities and Zila Parishads Service (Amendment) Rules, 1969.

Notification G.S.R. 13, dated May 13, 1970.—In exercise of the powers conferred by sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rules, further to amend the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, namely:—

1. *Short title.*—These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service (Amendment) Rules, 1970.

2. In the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, the punctuation mark “fullstop” appearing at the end of the rule 38 shall be substituted by the punctuation mark ‘colon’ and thereafter the following proviso shall be added, namely :

“Provided that Grade III teachers of the Primary Schools of Panchayat Samitis shall be eligible for transfer to equivalent posts in the Education Department, under the State Government.”

[Pub. in Raj. Gaz. Ex. 4 (Ga)(I)—Dt. 14-5-70—Pages 55]

Panchayat & Development Department

Notification G. S. R. 23, dated June 5, 1970.—In exercise of the powers conferred by sub-section (1) of section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rules further to amend the Rajasthan Panchayat Samitis and Zila Parishads Service Rules 1959, namely:—

1. *Short title.*—These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service (Amendment) Rules, 1970.

2. *Insertion of new rule 39.*—In the Rajasthan Panchayat Samitis and Zila Parishads Service Rules, 1959, after rule 38, the following new rule shall be added, namely :—

“39. *Unsatisfactory Progress during Training.*—If a member the Service fails to undertake training after having been nominated by the Panchayat Samiti/Zila Parishad or the State Government or after joining the aforesaid training fails to carry on studies satisfactorily or complete the training or fails to appear at and pass the prescribed examinations of such training without a just and reasonable cause, he shall be liable to refund the amount of stipend, if any, received by him during such training and shall also be liable to disciplinary action.”

[Pub. in Raj. Gaz. Ex. 4 (Ga) (I)-Dated 6-6-70 Page 571]

Rajasthan Panchayat Samitis & Zila Parishads (Servant's and Pensioner's Conduct) Rules, 1969.

PANCHAYAT & DEVELOPMENT DEPARTMENT

Notification G. S. R. 68, dated November 15, 1969.—In exercise of the powers conferred by Sub-Section (1) of Section 79 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 and all other provisions enabling it in this behalf, the Government of Rajasthan hereby makes the following Rules regarding the conduct of the Panchayat Samitis and Zila Parishads employee, namely :—

1. **Short title & commencement.**—These rules may be called the Rajasthan Panchayat Samitis & Zila Parishads (Servant's and Pensioner's Conduct) Rules, 1969 and shall come into force from the date of their publication in the official gazette.

2. **Definitions.**—In these rules unless there is anything repugnant in the subject or context,

(a) "Public Servant" means any person in the service of a Panchayat samiti or Zila Parishad borne on the cadre of Panchayat Samiti and Zila Parishad Service or on the Class IV Service, whether employed on a temporary or permanent basis, but does not include a person in the Civil Service of the State Government who may be posted on deputation in the Panchayat Samiti or a Zila Parishad,

(b) "Pensioner" means any person who having been in the service of a Panchayat Samiti or a Zila Parishad is in receipt of pension from the consolidated fund of the Government of Rajasthan.

(c) "Government" means the Government of the State of Rajasthan.

3. **General.**—Every Public Servant shall at all times maintain absolute integrity, devotion to duty and dignity of office.

4. **Gifts.**—(1) Save as otherwise provided in these rules a public servant shall not, except with the previous sanction of the Collector,—

(a) accept directly or indirectly on his own behalf or on behalf of any other person, or

(b) permit any member of his family so to accept any gift, gratuity or reward or any offer of a gift, gratuity or reward from any person.

(2) Subject to the provisions of any general or special order of the Government, any public servant may accept from any person complimentary present of flowers or fruits or similar articles of any trifling value but all public servants shall use their best endeavours to discourage the tender of such gift.

(3) Any public servant may accept or permit any member of his family to accept from any person who is his personal friend a present in connection with or on the occasion of, a personal or

religious ceremony, viz, wedding, birth-day or sacred thread ceremony etc. of a value which is reasonable in all circumstances of the case. All public servants shall, however use their best endeavours to discourage the tender of such presents. Such acceptance of any present of the value of Rs. 200/- or above shall be reported to the Collector and if the Collector so requires the present shall be returned to the donor.

(4) Subject to rule which may be made by the Education Department an educational officer may accept any gift, gratuity or reward offered in good faith and person or body of persons in recognition of his educational services.

5. Acceptance of the hospitality of the subordinate staff on tour.—A public servant while on tour must make his own arrangement for accommodation and food at places of halt and should not accept of hospitality of the subordinate staff, nor should subordinate officers offer such hospitality to official superiors.

6. Public demonstration in honour of Public Servant.—(1) Save as otherwise provided in this rule, a public servant shall not except with the previous sanction of the Collector :—

- (a) himself receive any public complimentary on valedictory address, accept any testimonial or attend any public meeting or entertainment held in his honour; or
- (b) take part in the presentation of a public complimentary or valedictory address or of a testimonial to another public servant or to any person who has recently quitted the service of Panchayat held in the honour of such other public servant or person;
- (c) take part in the raising of a fund to be expended, in recognition of the services of any other public servant of a person who has recently quitted the service of Panchayat Samiti or Zila Parishad, on the foundation of a scholarship or any other public or charitable object or on the execution of any portrait, bust or statue intended for presentation to such other public servant or person.

(2) Notwithstanding anything contained in sub-rule (i) :—(a) A public Servant in the receipt of a salary of Rs. 50/- or less may accept a testimonial about his work from his superior officer.

- (b) A public servant may at the request of any public body sit for a portrait, bust or statue not intended for presentation to him.
- (c) Subject to the provisions of any general or special order made in this behalf, a public servant may attend a farewell entertainment of a substantially private and informal character held as a mark of regard to the himself or to some public servant or to a person who has recently quitted the service of Panchayat Samiti or Zila Parishad on the occasion of the retirement from the service or departure from a station of himself or such other public servant or person.

7. **Presentation of trowels etc. at ceremonial functions.**—A public servant may not, without the previous sanction of the Collector, receive any trowel, key or other similar article, offered to him at a ceremonial function, such as the laying of a foundation stone or the opening of a public building.

8. **Subscriptions.**—Except with the previous sanction of the Government, no public servant shall ask for, or accept, or in any way participate in the raising of any subscription or other pecuniary assistance in pursuance of any object whatsoever. This rule does not apply to any collection for developmental works as prescribed under the rules or instructions of the Government in force.

9. **Purchase of Resignation.**—Public servants may not enter into any pecuniary arrangement for the resignation by one of them of any office under the panchayat Samiti or Zila Parishad for the benefit of the others. Should this rule be infringed, any nomination or appointment consequent upon such resignation will be cancelled and such parties to the arrangement as are still in the service will be suspended pending the orders of the Zila Parishad or Panchayat Samiti, as the case may be.

10. **Lending & Borrowing.**—(1) A public servant may not lend money to any persons possessing immovable property within the local limits of his authority, nor may he, except in the ordinary course of business with a Joint Stock Co., Bank or a Firm of standing, borrow money from, or otherwise place himself under a pecuniary obligation to, and person subject to his official authority, or residing, possessing immovable property or carrying on business within the local limits of such authority.

(2) When a public servant is appointed or transferred to a post of such a nature that a person from whom he has borrowed money or to whom he has otherwise placed himself under a pecuniary obligation will be subject to his official authority, or will reside, possess immovable property or carry on business within the local limits of such authority, he must forthwith declare the circumstances to the Collector through the usual channel :

Provided that the restrictions contained in this rule may be relaxed in exceptional case for public servants in receipt of a pay of less than Rs. 200/- p. m. at the direction of the head of their office. Such officers should make the report referred to in sub-rule (2) to the head of their office.

11. **Buying or selling of houses and other valuable property.**—Save in the case of a transaction conducted in good faith with a regular dealer a public servant in receipt of a pay of Rs. 200/- p. m. or over, who intends to transact any purchase, sale or disposal by other means of movable or immovable property exceeding in value of Rs. 1000/- shall declare his intention to the Collector, such declaration shall state fully the circumstances, the price offered or demanded and in the case of disposal otherwise than by sale, the method of disposal. Thereafter such public servant shall act in accordance with such orders as may be passed by the Collector.

12. Control over immovable property held or acquired by public servants—(1) Within 3 months of the coming into force of these rules every public servant already in service shall, through the usual channel, make a declaration of all immovable property held or owned by him or by his wife or any member of his family living with him or in any way dependent upon him. Such declaration should state the district of Rajasthan or the State or States of the Union within which the property is situated and should give such further information as the Government may by general or special order require. Such declaration shall be sent to the Vikas Adhikari in case of a Panchayat Samiti Staff and to the Secretary Zila Parishad Staff.

(2) A public servant shall not acquire or dispose of any immovable property by purchase or sale or gift through a regular dealer without previous knowledge of the Collector :

Provided that any such transaction conducted otherwise than through a regular and reputed dealer shall require the previous sanction of the Collector.

(3) A public servant shall not, save in good faith for the purpose of residence, acquire any immovable property by purchase or gift without the previous sanction of the Collector.

13. Investments other than those in immovable property—No public servant shall make nor permit any member of his family to make any investment likely to embarrass or influence him in the discharge of his official duties.

Note.—For the purpose of this rule, the word “family” shall include any relative residing with a public servant and any relative who is dependent on him though not residing with him.

(2) Subject to this condition he may hold or acquire shares in any Company, including a mining or agricultural company, which has for its object the development of the resources of the country, but he will not be employed in any district in which the operation of any such company are conducted.

(3) Subject to the same condition he may place deposits in State or Central Banks registered under Act II of 1912, and make investments in non-agricultural societies registered under that Act and intended for Government servants, even though he is employed in the locality, in which such banks or societies operate.

14. He may also make investments or place deposits in registered co-operative societies other than the above.

4. Speculation.—A public servant may not speculate in investments.

In applying this general rule, the purchase of a grant of land supposed to contain minerals with the object of disposing of it to companies, and the habitual purchase and sale of securities of notoriously fluctuating value, will be treated as speculation in investments.

15. **Promotion or management of Companies.**—A public servant in receipt of pay of Rs. 200/—p. m. or over, whether on leave or in active service, may not without the special sanction of the Collector take part in the promotion, registration or management of any Bank or other company.

This rule does not apply to the management by a public servant of any association established and conducted in good faith for the purposes of mutual supply and not for profit when such management does not interfere with his public duties or (subject to the same conditions) to any public servant who under the general or special sanction of the Collector take part in the Management of a Co-operative society.

16. **Private trade or employment** —(1) A public servant may not, without the previous sanction of the Collector, engage in any trade or undertake any employment, other than his public duties.

(2) A public servant may undertake occasional work of a literary or artistic character, provided that his public duties do not suffer thereby; but the Collector may, in his discretion, at any time forbid him to undertake or require him to abandon any employment which in his opinion is undesirable.

Note.—The secretary-ship of a club does not constitute employment in the sense of this rule, provided it does not occupy so much of an officers' time as to interfere with his public duties and that it is an honorary office.

(3) A public servant may undertake the agency of rural life insurance or Small Savings Organisation when permitted by the appointing authority.

17. **Prohibition of joining or attending educational Institutions** —No public servant, except with the previous permission of the Panchayat Samiti or Zila Parishad as the case may be, shall join or attend any educational institution for the purpose of preparing himself for, nor shall appear at any examination of a recognised Board or University :
Provided that :

(i) nothing in this rule shall apply to a public servant who applies for and is granted such leave as may be due to him for the entire period of the school or college session in which he so prepares himself or who is sent for any training by the appointing authority under instructions of the Government.

(ii) A public servant who has before the commencement of these rules passed any previous examination may be permitted by the appointing authority to join or attend an educational institution outside his office hours for the purpose of preparing himself for and to appear at the final examination next following such previous examination.

(iii) A public servant may be permitted by the appointing authority to join or attend an educational institution outside his office hours for the purpose of preparing himself for, and to appear at, the matriculation or Higher Secondary Examination of a recognised Board or

University or any other examination held by a recognised Board or University which may have been declared to be equivalent to such matriculation examination.

(iv) A teacher or librarian may subject to rules and regulations of Education Department, be permitted by the appointing authority to join or attend any educational institution outside his office hours for the purpose of preparing himself for, and sitting at any examination higher than the matriculation examination of recognised Board or University or any other examination declared to be equivalent thereto.

Examination.—The expression “Previous examination” to the annual examination immediately preceding the final intermediate or Degree or Post-Graduate examination.

18. **Insolvency and habitual indebtedness.**—(1) A public servant shall avoid habitual indebtedness.

(2) When a public servant is adjudged or declared an insolvent or when one moiety of the salary of such public servant is constantly being attached for a period exceeding two years, or is attached for a sum which in ordinary circumstances can not be repaid within a period of two years, he will be considered liable to dismissal.

(3) In every case under this rules, the burden of proving that the insolvency or indebtedness is the result of the circumstances which, with the exercise of ordinary diligence, the debtor could not have foreseen or over which he had no control, and has not proceeded from extravagant or dissipated habits, will be upon the debtor.

19. **Bigamous Marriages.**—No public servant who has a wife living shall contract another marriage without first obtaining permission of the Collector notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to him.

20. No female public servant shall marry any person who has a wife living without first obtaining the permission of the Collector.

21. No public servant shall appear in public place in a inebriated condition.

22 **Communication of official document or information.**—A public servant may not, unless generally or specially empowered by the Panchayat Samiti or Zila Parishad in this behalf, communicate directly or indirectly to any official or non-official persons, or to the Press, any document or information which has come into his possession in the course of his public duties, or has been prepared or collected by him in the course of those duties, whether from official sources or otherwise.

Nothing in this rule shall apply to dissemination of knowledge or ideas among the public in connection with the programme undertaken by the Panchayat Samiti or Zila Parishad by a public servant as a part of his duty.

23. **Connection with Press**—A public servant may not, without the previous sanction of the Adlt. Development Commissioner become the

proprietor in whole or in part or conduct or participate in the editing or management of any newspaper or other periodical publication.

Such sanction may be given only in the case of a newspaper of publication mainly devoted to departmental or other matters not of a political character, and may at any time, in the discretion of the Addl. Development Commissioner be withdrawn.

24. Subject to the provisions of rule 22, a public servant may contribute anonymously to the Press, but must confine himself within the limits of temperate and reasonable discussion, and, if his connection with the Press is contrary to the Public interest, the Addl. Development Commissioner may withdraw his liberty to contribute. When there is room for doubt whether the connection of any public servant with the Press is or not contrary to the Public interest, the matter should be referred to the Addl. Development Commissioner for order.

25 Criticisms of Panchayati Raj. Bodies or Government and publication of information or opinion upon matters relating to foreign countries.-- (1) No public servant shall, in any document published under his own name or an any public utterance delivered by him, make any statement or fact of opinion which is capable of embarrassing :—

(a) The relation between one Panchayat Samiti and another or between one Zila Parishad and the Government;

(b) The relation between Government and the people of Rajasthan or any section thereof; or

(c) The relation between Government of India and any foreign country or the Government of any State of the Union.

(2) A public servant who intends to publish any document under his own name or to deliver any public utterance containing statements in respect of which any doubt as to the Application of the restrictions imposed by sub-rule (1) may arise shall submit to the Collector a copy or draft of the document which he intends to publish or of the utterance which he intends to deliver and shall not publish the document or deliver the utterance save with the sanction of the Collector and with such alteration if any, as the Collector may direct.

*Note :—*Expression of views in writing or by utterance by a public servant in the course of the discharge of his official duties would not bring him within the purview of this rule. But such expression in writing or otherwise, even if the circulation or the audience is limited, if un-connected with his official duties would be deemed as publication or public utterance.

(3) (i) No public servant shall approach a member of the State Legislative Assembly or Parliament with a view;

(a) to having a question put or resolution or motion moved on a matter connected with his conditions of service or any disciplinary action against him; or

(b) to furnish any object which is capable of embarrassing the Panchayat Samiti, Zila Parishad or the Government.

(ii) No public servant shall bring or attempt to bring outside influence to bear upon any superior authority for furthering his own or any other person's interest.

26. Evidence before committees.—A public servant may not give evidence before a public Committee unless he has first obtained the permission of the Collector.

This rule will not apply to evidence given before Statutory Committees with power to compel attendance and the giving of answer, nor to evidence given in judicial enquiries or to committees appointed by Government or with their permission.

27. Taking part in politics and elections.—(1) No public servant shall be a member of or be otherwise associated with, any political party or any organisation which takes part in politics, nor shall he take part in, subscribe in aid of, or assist in any other manner any political movement or activity.

(2) It shall be the duty of every public servant to prevent any member of his family dependent upon him from taking part in or subscribe in aid of, or assisting in any other manner any movement or activity which is or tends directly or indirectly to be subversive of the Government as by law established and where a public servant fails to prevent a member of his family from taking part in, or subscribing in aid of, or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the Collector, who shall forthwith communicate the same to the Government.

(3) If any question arises whether any movement or activity falls within the scope of this rule, the decision of the Government thereon shall be final.

(4) No public servant shall canvass or otherwise interfere or use his influence in connection with, or take part in an election to any legislature, local political party, Panchayat, Panchayat Samiti, Zila Parishad or any standing committee thereof, provided that—

(i) a public servant qualified to vote at such election may exercise his right to vote but where he does so he shall give no indication of the manner in which he propose to vote or has voted.

(ii) a public servant shall not be deemed to have contravened the provisions of this rule by reasons only that he assists in the conduct of an election in due performance of a duty imposed on him by or under any law for the time being in force.

Explanation.—The display by a public servant on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-rule.

28. Vindication of acts and character of public servant at such.—A public servant may not without the previous sanction of the Panchayat Samiti or Zila Parishad, as the case may be, have recourse to any Court or

to the Press for the vindication of his public acts or character from defamatory attacks. In granting sanction to the recourse to a Court, the Panchayat Samiti/Zila Parishad will in each case decide whether it will itself bear the cost of the proceedings or whether the public servant shall institute the proceedings at his own expense and, if so, whether in the event of a decision in favour of the public servant shall reimburse him to the extent of the whole or any part of the cost.

Nothing in this rule will limit or otherwise effect the right of any public servant to vindicate his private acts or character.

29. **Demonstrations and Strikes.**—No Public servant shall participate in any demonstrations or resort to any form of strike in connection with any matter pertaining to his conditions of service.

30. **Membership of Service Associations.**—No public servant shall be member, representative or officer of any association representing or purporting to represent, public servants or any class of public servants unless such association has been recognised by the Government.

31. **Joining of Associations of Public Servants.**—No public servant shall join or continue to be a member of any service association of public servants—

(a) which has not, within a period of six months from its formation obtained the recognition of the Government under the rules prescribed in this behalf.

(b) recognition in respect of which has been refused or withdrawn by the Government under the said Rules.

32. **Pensioners.**—(1) Future good conduct is implied condition of every grant of pension. The State Government reserve to themselves the right of withdrawing a pension or any part of it, if the pensioner be convicted of serious crime or be guilty of grave misconduct.

Explanation.—Taking part in political activities subversive of the foundation of the State or encouraging unconstitutional activities is liable to be construed as grave misconduct for the purpose of this rule.

(2) Other rules for the conduct of public servants do not apply to the pensioners.

(Pub, in Raj. Gaz. Ex. 4 (Ga) (I)—Dt. 15.11.69—Page 193)

RAJ. PANCHAYAT SAMITIS SELECTION OF VIKAS ADHIKARIS) RULES, 1968.

Appointments (A-11) Department

Notification No. F. 1 (9)—Appts. (A-11)-68, dated, July 15, 1968.—In exercise of the powers conferred by sub-section (1) of section 79, read with section 26 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rules laying down the procedure for selection of officers for appointment as Vikas Adhikaris on deputation to the Panchayat Samitis, namely :—

The Rajasthan Panchayat Samities (Selection of Vikas Adhikaris) Rules, 1968.

1. Short title and commencement.—(1) These rules may be called the Rajasthan Panchayat Samitis selection of Vikas Adhikaris) Rules, 1968.

(2) They shall come into force at once.

2. Definitions.—In these rules, unless the context otherwise requires:

(a) ‘Commission’ means the Rajasthan Public Service Commission;

(b) ‘Government’ and ‘State’ respectively, means the Government and the State of Rajasthan;

(c) ‘Rajasthan Animal Husbandry Service’ includes the State Service posts in the State Animal Husbandry Department, and

(d) ‘Rajasthan Agriculture Subordinate Service’ means and includes posts in the Subordinate Service in the Agriculture Department.

3. Interpretation.—Unless the context otherwise requires, the Rajasthan General Clauses Act, 1955 (Rajasthan Act VIII of 1955) shall apply for the interpretation of these rules as it applies for the interpretation of a Rajasthan Act.

4. Sources of selection—Selection for appointment of Vikas Adhikaris after the commencement of these rules, shall be made from amongst officers of the following categories;—

(i) Members of the Rajasthan Animal Husbandry Service holding posts in Group C-II, i. e., the ordinary time scale of that Service who have put in a total service of at least 5 years out of which at least 2 years should be on the post of Animal Husbandry Extension Officer.

(ii) Members of the Rajasthan Agriculture sub-ordinate Service:—

(a) Who have a total length of service of at least 5 years. Their number shall not exceed 25% of the total number of officers to be selected from the State Agriculture Department.

(b) Who have a total length of service of at least 5 years out of which at least 3 years should be on the post of Agriculture Extension Officer.

(iii) Non-RAS Vikas Adhikaris who have worked as Vikas Adhikaris for at least three years after the 18th May, 1962 and prior to the 18th May, 1967—

Provided that—

(1) the officers of category (iii) shall be eligible for the selection as Vikas Adhikaris only in the first selection to be held under these rules, and the number of posts available to them shall not exceed 25% of the total number of posts of Vikas Adhikaris; and

(2) Government may appoint officers of the Rajasthan Administrative Service to hold temporarily posts of Vikas Adhikaris, if considered necessary.

5. *Criteria for selection.*—Selection of person for appointment as Vikas Adhikaris shall be made from amongst the eligible candidates having regard to their :—

(a) Personality and character,

(b) tact, intelligence and energy (including ability to undertake extensive tours),

(c) integrity,

(d) technical qualifications and knowledge,

(e) previous record of service, and

(f) past experience of work specially in the Panchayat Samitis.

6. *Procedure for selection of Vikas Adhikari from the Raj. Animal Husbandry Service (under Rule 4 (i))*—(1) As soon as it is decided that selection is to be made to fill a certain number of vacant posts of Vikas Adhikaris out of the members of the Rajasthan Animal Husbandry Service, the Development Department shall call upon the Director of Animal Husbandry to send by a prescribed date his recommendation in respect of the officers of the Rajasthan Animal Husbandry Service who are eligible for selection as a Vikas Adhikaris under the provisions of these Rules.

(2) The director of Animal Husbandry shall prepare a list of all the eligible officers in order of their seniority. The list shall contain the names of the candidates equal to at least

twice the number of vacancies indicated by the Development Department. He shall then send the list along with the Annual Confidential Rolls of the officers whose names are included in that list to the Development Department which shall select and appoint a number of candidates equal to the number of vacancies likely to be filled out of the officers and Animal Husbandary Department.

7. *Procedure for the selection of officers from the Agriculture Department under rule 4 (ii).*—(1) As soon as it is decided that selection is to be made to fill a certain number of posts of Vikas Adhikaris out of the members of the Rajasthan Subordinate Agriculture Service, the Development Department shall call upon the Director of Agriculture to send by a prescribed date his recommendations in respect of the officers holding posts in the Subordinate Service of the Agriculture Department, who are eligible for selection as Vikas Adhikaris under the provisions of these Rules.

(2) The Director of Agriculture shall prepare a list of all the eligible officers in order of their seniority. The list shall contain the names of candidates equal to at least 5 times the number of vacancies. He shall then send the list along with the Annual Confidential Rolls of the officers whose names are included in that list to the Development Department.

(3) A committee consisting of the Chairman of the Commission, or when he is unable to attend, any member thereof nominated by him as Chairman, Development Commissioner, Special Secretary to Government in Appointments Department or his representative not below the rank of Deputy Secretary and the Director of Agriculture as members, and Additional Development Commissioner as Member-Secretary shall consider the cases of all the persons whose names are included in the list prepared by the Director of Agriculture under sub-rule (2) above, interviewing such of them as it deems necessary and shall subject to their suitability select a number of candidates equal to the number of vacancies likely to be filled from officers of the Agriculture Department. The Committee shall also select from the remaining candidates in a similar manner a number which shall be 50% of the total number of candidates selected in the first list to serve as a reserve list shall arrange their names in a separate list in order of seniority. The reserve list shall remain valid for a period of one year only from the date of its preparation by the Committee.

(4) Government shall make the final selection out of the list received under the preceding sub-rule and arrange the names of the selected person in order of their seniority.

8. *Procedure for selection of Non-RAS Vikas Adhikaris (under rule 4 (iii))*—(1) As soon as these Rules come into force, the Additional Development Commissioner shall draw up a list of all those non-RAS Vikas Adhikaris who had worked as Vikas Adhikaris for at least three years after the 18th May, 1962 and prior to the 18th May, 1967.

(2) A committee consisting of the Chairman of the Commission, or if he is unable to attend, any member thereof nominated by him as Chairman, Development Commissioner, Special Secretary to Government in the Appointments Department or his representative not below the rank of a Deputy Secretary as Members, and the Additional Development Commissioner as Members, Secretary shall consider the case of all the persons included in the list prepared by the Additional Development Commissioner under sub-rule (1) above, and shall subject to the proviso (1) to rule 4 select such of them as are found suitable for appointment as Vikas Adhikaris.

9. *Appointment*.—(1) Appointment shall be made by Government out of the lists of the persons mentioned in sub-rules 6 (2), 7 (4) and 8 (2) above.

(2) All appointments of Vikas Adhikaris made under these rules shall be treated as on deputation and the officers concerned shall have lien on their respective parent cadres, and on revision from such deputation they shall not have any right to protection of pay scale or status held by them as Vikas Adhikaris.

10. *Repeal and Savings*.—All rules and orders in relation to matters covered by these rules and in force immediately Commencement before the these rules, are hereby repealed :

Provided that any action taken under the rules and orders so repealed, shall be deemed to have been taken under the provisions of these rules.

11. *Power to remove difficulties*.—If any doubt arises relating to the application and scope of these rules, it shall be referred to Government in the Appointments Department whose decision thereon shall be final.

**Rajasthan Panchayat Samitis (Selection of Vikas Adhikaries)
Rules, 1968.**

Panchayat & Development Department

Notification G.S.R. 7, dated October 29, 1969.—In exercise of the powers conferred by sub-section 79 read with section 26 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rules further to amend the Rajasthan Panchayat Samitis (Selection of Vikas Adhikaris) Rules, 1968, namely,—

1. **Short title.**—These rules may be called the Rajasthan Panchayat Samitis (Selection of Vikas Adhikaris) (Amendment) Rules, 1969.

2. In clause (iii) of rule 4 of the Rajasthan Panchayat Samitis (Selection of Vikas Adhikaris) Rules, 1968, after the words “Non R.A.S. Vikas Adhikaris”, and before the word “who” the following words shall be inserted, namely :—

“Who were working as Vikas Adhikaris on the date of the publication of Rajasthan Panchayat Samitis (Selection of Vikas Adhikaris) Rules, 1968 and who have had experience of working as Vikas Adhikaris for a period of atleast one year, or”.

[Pub. in Raj. Gaz. 4(Ga)(I)—Dt. 9-4-70—Page 14]

Rajasthan Panchayat Samitis & Zila Parishads Service (New Pay Scales) Rules, 1969

Panchayat & Development Department

Notification G.S.R. 42, dated September 5, 1969.—In exercise of the powers conferred by section 79 read with section 31 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), and all other provisions enabling it in this behalf, the State Government hereby makes the following Rules, namely :—

1. **Short title, commencement and scope.**—(i) These Rules may be called the Rajasthan Panchayat Samitis and Zila Parishads Service (New Pay Scales) Rules, 1969.

(ii) They shall be deemed to have come into force on the 1st day of September, 1968.

(iii) These rules shall apply to all persons appointed to the Rajasthan Panchayat Samitis and Zila Parishads Service and the Panchayat Samitis and Zila Parishads (Class IV) Service, hereinafter referred to as “Services”.

2. **Application of the Rajasthan Civil Services (New Pay Scales) Rules, 1969.**—The Rajasthan Civil Services (New Pay Scales) Rules, 1969 as amended from time to time, hereinafter referred to as the said rules, shall apply Mutatis Mutandis to the persons appointed to the Services, subject to the following variations, namely—

- (a) Reference in the said rules to ‘Govt. Servant’ shall be construed as a reference to the persons appointed to the services and reference to the ‘Governor’ shall be construed as a reference to the Government.
- (b) For the Schedule I and II of the said Rules, the following schedules shall be substituted :—

SCHEDULE No. 1

Section ‘A’

New Pay Scales 1969.

- 1. 60-65-2-85.
- 2. 66-2-90.
- 3. 70-2-90-3-102-4-110.
- 4. 75-4-115-5-140.
- 5. 90-4-110-5-150.
- 6. 100-5-140-8-180.
- 7. 110-5-160-8-200-10-230.
- 8. 120-5-160-8-200-10-240.
- 9. 130-8-170-10-210-15-300.
- 10. 150-8-190-10-210-15-330.

SCHEDULE I Section 'B'

S. No. 1	Name of the post. 2	Existing Pay Scale 3	New Pay Scale. 4	Scale No. 5	Remarks 6
1.	All Class IV Service in Scale of 45.80	45-1-55-57-1-62-SB. 64-70-EB-2-80 (1)	60-1-65-2-85	(1)	
2.	Trained Ploughman	50-90 (2)			
3.	Vaccinator	65-1-70-2-80-84-2. 90-4-98-SB-106-110(3) 75-3-90-4-110-120-5. 145-SB & EB-155-5-175 (6)	66-2-90 73-2-90-3-102-4-110 110-5-160-8-200-10-230	(2) (3) (7)	
4.	Drivers				
5.	Lower Division Clerks	90-4-102-EB-4-110-5-135-145-5-170-SB-180-5-200 (9)	110-5-160-8-200-10-230	(7)	

(1) Fresh recruits shall not be allowed increments beyond the minimum pay of the new pay scale unless they pass typing test as prescribed under rules.

(2) Existing employees drawing pay of Rs. 110/- or less in the existing pay scales shall be fixed at the minimum of the new pay scale and shall not be allowed increments in the new pay scale unless they pass/had already passed typing test as prescribed under rules.

6. Primary School Teachers 75-495-105-EB-5.
120-130-EB-155-SB-
165-5-200 (8)
- 110-5-160-8-200-
10-230
- (7)
- (1) Pay in this scale will be admissible to the existing employees as well as fresh recruits subject to the condition that they are at least trained matriculates, or they are at least trained matriculates, on account of experience under existing orders issued by the Govt. from time to time or persons with one year Jr. B. S. T. C. or equivalent training irrespective of whether they passed H. S. or H. S. S. prior to training.
- (2) Existing persons drawing pay in the scale of 75-200 with B. Ed. qualification shall be allowed benefit of 3 advance increments less advance increment recd. already, if any.
- (3) Newly recruited untrained teachers appointed in this scale shall get fixed pay of Rs. 105/- p. m.
- (4) Fresh recruits with B. Ed. qualification shall get initial pay of Rs. 125/- in this scale.
- (5) Existing untrained teachers who do not possess the qualification mentioned above and

1	2	3	4	5	6
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are drawing pay of Rs. 105/- or less than Rs. 105/- in the existing Scale will receive fixed pay of Rs. 125/- until trained or deemed as trained under existing orders.

(6) The pay of an existing untrained teacher in the existing pay scale of 75-200 drawing pay more than 105/- p. m. shall be fixed at the minimum pay of the New Pay Scale until he gets trained or is deemed as trained under existing orders and the difference between the pay in the existing pay scale and the pay fixed at the minimum of the New Pay Scale, if any, shall be treated as personal pay to be absorbed in future increments.

7. Stockman and Stock Assistant	90-4-110-EB-5-135. 10-145-5-155-7½-177½- SB-195-10-225 (10)	110-5-160-8. 200-10-230	(6)
8. Projector Operators	Gr. 175-3-90-4-110- 120-5-145 SB & EB. 155-5-175 (6)	100-180	(6)

V.L. W's (i) Sr. V.L. W's	Gr. II 65-2-75-3-90- EB-97-4-105-5-120- SB-130-5-140 (4)	75-140 (4)	
	120-5-150-8-182-200- 10-250-SB-270-10-300- (12)	150-8-190-10- (10) 210-15-330	
	90-4-110-EB-5-135-145- 5-155-7 $\frac{1}{2}$ -177 $\frac{1}{2}$ -SB-195- 13-225-(10) with mini- mum pay of Rs. 102 p. m.	120-5-160-8-200- 10-240 (8)	
(iii) V.L.W. Matriculate trained either in Basic or extension or (b) Non- Matriculate but trained in both basic and Extension	65-2-75-3-90-EB-97- 4-105-5-120-SB-130- 5-140 (4)	120-5-160-8- 200-10-240 (8)	Eligibility for this scale will accrue on completing 5 years satisfactory service.
(iv) V.L.W. Matriculate untrained	65-1-70-2-80-84-2-90- 4-98-SB-105-119-fixed pay of Rs. 74/- plus D.A. (3)	No change	
(v) V.L.W. Non-Matriculate untrained	50-1-60-62-1-57-SB-70 2-86-EB-2-90-Fixed pay of Rs. 50 plus D.A. (2)	No change	Training provided in both Basic and Extension for others.
10. U.D.C.	120-5-150-8-182-200- 130-8-170-10-210- (9) 10-250-SB 270-10-300 15-300 (9) (12)		

1	2	3	4	5	6
11	Group Panchayat Secy. Matriculate Trained in both Basic & Extension	90-4-110-ER-5-135- 145-5-155-7½-177½- SB-195-10-225 (10)	120-5-160-8-200- (8) 10-240 (10)		
12	Gram Sevikas, Matric Trained in both Basic & Extension.	—do—	—do—		

SCHEDULE II

Special Pay

1. Head Masters of Primary Schools (where there are 5 teachers including Head Master).
2. Security Allowance to, L.D.C., U.D.C. and subordinate staff for handling case and Stores at the following rates :—

Amount of Security.

(a) Rs.	500/-
(b) Rs.	1000/-
(c) Rs.	1500/-
(d) Rs.	2000/-

Rs.	3/-
Rs.	5/-
Rs.	7/-
Rs.	10/-

3. U.D.C. Account Clerks.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (I)-Dt. 5-9-69-Page 153]

Rate of Special Pay
per month
Rs. 10/-

Rs. 10/-

Rajasthan Panchayat Samitis and Zila Parishads (Selection Commission Conditions of Service) Rules, 1969.

Appointments (A.V.) Department

Notification G.S.R. 6, dated February 7, 1969.—In exercise of the powers conferred by the sub-section (1) of section 79, read sub-section (6) of section 86, of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rules further to amend the Rajasthan Panchayat Samitis and Zila Parishads (Selection-Commission of Service) Rules, 1960, namely :—

1. **Short title.**—These rules may be called the Rajasthan Panchayat Samitis and Zila Parishads (Selection Commission-Conditions of Service) (Amendment) Rules, 1969.

2. In the Rajasthan Panchayat Samitis and Zila Parishads (Selection Commission-Conditions of Services, 1960 after sub-rule (i) of Rule 9 of the Rajasthan Panchayat Samitis & Zila Parishads (Selection Commission-Conditions of Service) Rules, 1960, the following proviso shall be added and shall be deemed always to have been added, namely :—

“Provided that if a Member/Chairman retires before completing the three years’ qualifying service on account of his permanent physical disability, developed after joining the Commission and if it is so certified by a medical Board appointed by the Government in this behalf, the Member/Chairman shall be allowed a minimum pension of Rs. 100/- per annum.”

[Pub. in Raj. Gaz. 4 (Ga) (I)—Dt. 1-5-69-Page 64]

Rajasthan Zila Parishads (Payment of Allowance to Members) Amendment Rules, 1968.

Panchayat And Development Department

Notification No. F. 4/L/PSJ/AR/12/66/8728, dated July 27, 1968.—In exercise of the powers conferred by sub-section (1) of section 79, read with section 6 of the Rajasthan Panchayat Samitis and Zila Parishad Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby makes the following rule further to amend the Rajasthan Zila Parishads (Payment of Allowance to Members) Rules, 1961, namely;—

1. **Short title.**—These rule may be called the Rajasthan Zila Parishads (Payment of Allowance to Members) Amendment Rules, 1968.

2. In sub-rule (a) of rule 3 of the Rajasthan Zila Parishads (Payment of Allowance to Members) Rules, 1961 hereinafter referred to as 'the rules'—

(1) in clause (i), for the expression "6 N. P. per mile", the expression "4 paise per K. M." shall be substituted;

(2) in clause (ii),—

(i) in sub-clause (a), for the expression "0.50 N.P. per mile for the first 50 miles and 0.37 N.P. per mile for the next 100 miles on the same day and 0.25 N.P. per mile beyond 150 miles on the same day", the expression "35 paise per K. M. for the first 100 K.M, and 25 paise per K. M. for the next 150 K.M. on the same day and 20 paise per K. M. beyond 250 K. M. on the same day" shall be substituted;

(ii) in sub-clause (b), for the expression "31 N. P. per mile" the expression "25 paise per K. M." shall be substituted; and

(ii) in-clause (c), for the expression "0 12 N.P. per mile", the expression "10 paise per K.M." shall be substituted;

(3) in clause (iii), for the expression "6 N.P. per mile subject to a maximum of Rs. 5/- per day", the expression "35 paise for every 10 K. M. or part thereof if it exceeds 5 K. M. subject to a maximum of Rs. 5/- per day in the case of members and Rs. 6.50 in the case of Pramukh" shall be substituted.

3. In rule 4 of the rules—

(1) in sub-rule (a) after the expression "Rs. 5/- per day" the expression "while a Pramukh attending such a meeting or official work, may draw daily allowance @Rs. 6. 50 per day" shall be added.

(2) for sub-rule (e), the following shall be substituted, namely:—

"(e) The rate of daily allowance for the following expensive localities shall be as follows:—

(1) for Jaipur and other expensive localities and hill stations to be specified by the Government from time to time @Rs. 6.50 per day in the case of members and Rs. 8/- per day in the case of Pramukh;

(2) for state Capitals other than those covered by clauses (1) and (3) Rs. 7.00 per day in the case of members and @Rs. 9.75 per day in the case of Pramukh;

(3) for Bombay, Calcutta and Delhi @Rs. 3/- per day in the case of members and @Rs. 11/- per day in the case of Pramukh".

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 27-7-68—Page 357]

Notification No. F. 4/L/PS/AH/ 12/66/8727, dated July 27, 1968.—In exercise the powers conferred by sub-section (1) of section 79, read of with section 32 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959) the State Government hereby makes the following rules further to amend the Rajasthan Panchayat Samits (Payment of Allowance to Members) Rules, 1961, namely:—

1. *Short title.*—These rules may be called the Rajasthan Panchayat Samitis (Payment of Allowance to Members), Rules, 1968.

2. In the Rajasthan Panchayat Samitis (Payment of Allowance to Members) Rules, 1961, hereinafter referred to as 'the rules', in sub-rule (a) of rule 3—

(1) in clause (i), for the expression "4 N. P. per mile" the expression "3 paise per K. M." shall be substituted and after the expression "Rs. 3/-" the expression "in the case of members and Rs. 5/- in the case of Pradhan" shall be added;

(2) in clause (ii),

(a) in sub-clause (a), for the expression "15 N.P. per mile for the first 50 miles and Rs. 0.37 N.P. per mile for the next 100 miles on the same day and 25 N. P. per mile beyond 150 miles on the same day" the expression "35 paise per K. M. for the first 100 K.M. and 25 paise per K. M. for the next 150 K. M. on the same day and 20 paise per K. M. beyond 250 K. M. on the same day" shall be substituted;

(b) in sub-clause (b), for the expression "30 N. P. per mile" the expression "25 paise per K. M." shall be substituted;

(c) in sub-clause (c), for the expression "12 N. P. per mile", the expression "10 paise per K. M. shall be substituted:

(3) in clause (iii), for the expression "6 N. P. per mile subject to a maximum of Rs. 3/- per day", the expression "35 paise for every 10 K. M. or part thereof if it exceeds 5 K. M. subject to maximum of Rs. 3/-per day in the case of members and Rs. 5/- in the case of Pradhan" shall be substituted.

3. In rule 4 of the rules—

(1) in sub-rule (a), after the expression "Rs. 3/- per day" the expression "while a pradhan attending such a meeting or official work may draw daily allowance @Rs. 5/-per day" shall be added:

(2) for sub-rule (f), the following shall be substituted, namely :—

"(f) The rate of daily allowance for the following places shall be as follow :—

(1) for Jaipur and other expensive localities and hill stations to be specified by the Government from time to time @Rs. 4/- per day in the case of members and Rs. 6.25 in the case of Pradhan.

(2) for state Capitals other than those covered by clause (1) and (3) @ Rs. 5.00 in the case of members and @ Rs. 7.50 in the case of Pradhan.

(3) for Bombay, Calcutta and Delhi a/Rs. 6/- per in day in the case of members and @ Rs. 9/- in the case of Pradhan".

[Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 27-7-68—Page 359]

Rajasthan Panchayat Samitis & Zila Parishads Act, 1959.

Notification S. O. 195, dated December 12, 1969.—In exercise of the powers conferred by the first proviso to sub-section (1) of section 14 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby extends the term of office of all the Panchayat Samitis within Jodhpur, Jaisalmer, Barmer, Bikaner, Jalore, Nagaur and Pali Districts in the State of Rajasthan for a period of one year from 8.2.70 to 7.2.71.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 15-12-69—Page 316]

Notification S. O. 229, dated January 5, 1970.—In exercise of the powers conferred by the first proviso to sub-section (1) of section 14 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby extends the term of office of all the Panchayat Samitis within Churu, Ganganagar, Alwar, Bharatpur, Jaipur, Jhunjhunu, Sawai-Madhopur, Sikar, Tonk, Ajmer, Sirohi, Bundi, Jhalawar, Kotah, Banswara, Bhilwara, Chittorgarh, Dungarpur and Udaipur Districts in the State of Rajasthan for a period of one year from the 8th February, 70 to the 7th February, 1971.

[Pub. in Raj Gaz. Ex. 4 (Ga)(II)—Dt. 5-1-70—Page 404]

Notification S.O. 196, dated December 12, 1969.—In exercise of the powers conferred by the first proviso to sub-section (1) of section 46 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby extends the term of office of all the Zila Parishads within Jodhpur, Jaisalmer, Barmer, Pali, Bikaner, Jalore and Nagaur Districts in the State of Rajasthan for a period of one year from 26.2.70 to 25.2.71.

[Pub. in Raj. Gaz. Ex. 4 (Ga).(II)—Dt. 15-12-69 Page 317]

Notification S. O. 230, dated January 5, 1970.—In exercise of the powers conferred by the first proviso to sub section (1) of section 46 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby extends the term of office of all the Zila Parishads within Churu, Ganganagar, Alwar, Bharatpur, Jaipur, Jhunjhunu, Sawai madhopur, Sikar, Tonk, Ajmer, Sirohi, Bundi, Jhalawar

2] Noti. under Raj. Panchayat Samitis & Zila Parishads Act, 1959

Kotah, Banswara, Bhilwara, Chittorgarh, Dungarpur and Udaipur Districts in the State of Rajasthan for a period of one year from the 26th February, 1970 to the 25th February, 1971.

[Pub. in Raj. Gaz. Ex. 4 (Ga)(II)—Dt. 5.1.70 Page 405.]

Notification S.O. 62, dated June 12, 1969.—In exercise of powers conferred by sub-section (1) of section 84 of the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959), the State Government hereby delegate the powers exercisable by it, under sub-section (1) of section 90 of the said Act in so far as it relates to the disputes between a Panchayat Samiti and a Municipal Board situated within the same district, to the Collector of the district having jurisdiction.

[Pub. in Raj. Gaz. 4 (Ga) (II)—Dt. 2-10 69 Page 104]